

PROPERTY & EVIDENCE**I. POLICY**

It is the policy of the Department to collect, process, and preserve physical evidence in the field. The circumstances under which evidence or property comes into the Department's possession shall be documented on an Incident Report and itemized on a Property Record.

Whenever available, materials and substances will be collected from a known source for submission to a laboratory for comparison with physical evidence collected.

Evidence collection shall be handled in accordance with practices taught in a training academy and written directives.

II. CHECKLIST (N/A)**III. DEFINITIONS**

Chain of Custody: The documented continuity of custody of material and items collected as physical evidence; to minimize court challenges, the item introduced as evidence must be proven the same item recovered during the investigation.

Evidence: Any type of proof that has the potential to be introduced in a legal proceeding that is intended to convince the judge and/or jury of alleged facts material to the case; it can include records, documents, substances, materials, objects, photographs, fluids, etc.

Evidence Room: Locked/secured storage room for recovered property, accessed by the Property Coordinator or a Supervisor only.

Handgun: Any pistol, revolver, or other firearm that can be concealed on a person, including short-barreled shotguns and rifles; short-barreled shotguns have a barrel less than 18" long or an overall length less than 26" and short-barreled rifles have a barrel less than 16" long or an overall length less than 26". The following are not considered handguns:

- ☐ Any shotgun, rifle, or antique firearm manufactured before 1898

- ☐ Any firearm with matchlock, flintlock, percussion cap, or similar type of ignition
- ☐ BB or pellet guns
- ☐ Starter pistols

Police STOP: A verbal notification from the CPD through a PGPD Pawn Unit investigator to the pawnshop manager to hold suspected stolen property for later recovery by police

Property: Any item taken into custody by an officer for an official purpose that has no apparent evidentiary value.

Property Coordinator: A supervisor, designated by the Chief of Police, assigned to oversee all aspects of property storage and release. The Property Coordinator shall specifically release firearms, currency, and evidence items, and directly supervise all property destruction.

Property Record: 2 sided 4-part form [*white, yellow, pink, goldenrod*], or 2 sided computer generated file form (must make 3 photocopies of completed original). Chain of Custody information is on the reverse side.

Property Record Room: Unlocked Entrance of the Evidence Room.

IV. FORMS

- ☐ Adhesive Evidence Label
- ☐ Arrest Report
- ☐ Biohazard Warning Label
- ☐ Custody Log/Request For Analysis/Analysis Report Form
- ☐ Custody Log/Request For Analysis/Analysis Report Form
- ☐ Continuation
- ☐ Fingerprint Lift Cards
- ☐ Incident Report
- ☐ Latent Evidence Envelope
- ☐ Notification Letter
- ☐ Pawn Recovery Sheet
- ☐ Property Record / Chain of Custody (reverse side)
- ☐ Property Record as Evidence Form
- ☐ Property Tag
- ☐ Report of Findings
- ☐ Request for Analysis Form
- ☐ Request for Latent Fingerprint

- ☐ Examination Form
- ☐ Special Report
- ☐ Transmittal Sheet Report
- ☐ Vehicle/Asset Forfeiture Summary Report

V. PROCEDURES

Officers shall respond to the scene of all calls for service regarding found or recovered property. Citizens shall not be instructed to bring found or recovered property to a police facility.

Employees shall account for property and evidence taken into custody. They shall protect items from contamination, damage, and destruction.

Questions concerning the preservation and submission of property and evidence shall be directed to a supervisor or the PGPD Forensic Services Division.

1. Cancellations & Entries to Computer Systems

Employees shall check found or recovered property with unique identifying numbers through NCIC and record the results on the Property Record.

Information on stolen property entered into NCIC must be removed once the property is recovered. The recovering employee shall contact the PGPD Telecommunications Unit, providing any identification/serial numbers, a description of the property, and the CCN.

All stolen property with unique identifying numbers shall be entered into NCIC, MILES, and NLETS via the PGPD Telecommunications Unit. Employees will review and be responsible for the accuracy and currency of entries and cancellations.

2. Submission Procedures

Employees shall document all items of property taken into custody on the **CPD Property Record Form**, a 2 sided, 4-part form [white, yellow, pink, goldenrod], or 2 sided computer generated file form. When using the computer file version of the form, complete all information and make 3 copies of the original. The Property Record must describe the items in enough detail to allow them to be easily identified. The following information shall

be recorded:

- ☐ Manufacturer
- ☐ Model name or number
- ☐ Unique identification number

Submitting Property/Evidence: When an Officer submits property (excluding CDS), it is imperative that the 'goldenrod' copy or a photocopy of the **completed** property report be included with the property. If the property is considered **Releasable Property**, the Property Record must include an owners name and address.

Employees shall affix a property tag to property taken into custody.

Employees shall use string or wire to securely attach the tags to the property. Tags may be stapled to property storage bags. Employees shall not use rubber bands, tape, or paper clips to affix tags.

Knives and other objects with sharp edges shall be placed in a Biohazard Sharp Object Disposal Pouch or a Biohazard Tube. Syringes shall be placed in a sealed Biohazard Tube.

Employees shall not substitute one item of property for another, such as one piece of currency for another having the same face value.

Recovered License Plates: Only license plates that are to be used directly as evidence in court or an administrative hearing shall be placed on a departmental Property Record and placed in storage.

All other license plates shall be placed in the license plate return bin, with an entry of such placement made to the Property Book located in the outer property room area. The Property Coordinator will then document license plates from the return bin on MVA Form VR-317, entitled the Tag Return Log.

Every 30 days, the Property Coordinator shall arrange transport of those license plates listed on a VR-317, including the proper documentation, to a location approved by the MVA for disposal.

Personal property (found/held for safekeeping):
All Personal property found in a vehicle, and not

reported stolen, should remain in the impounded vehicle and noted accurately on the initial Incident Report as an impound inventory. Sensitive or expensive items may be recovered for safekeeping to ensure against potential loss or damage.

Off-duty employees who recover property of minor value, such as license plates, may retain it for a maximum of 72 hours from the time of recovery.

Property Retrieval: When an Officer needs to enter the Evidence Room in order to obtain property, the Property Coordinator or another supervisor must accompany him/her. Upon entry, it is vital that the Officer and the Property Coordinator and/or supervisor log their entry into the **Property Room Log**. Proper documentation includes the names of Officers, the reason for entry, and the date and time of entry. Prior to exiting the Property Room, the time of exit must be recorded in the **Property Room Log**.

Temporary Storage

All property, whether recovered or evidence, shall be placed into an empty evidence locker in the outer Evidence Room. After locking the individual evidence locker, the employee shall remove the key and drop the key into the temporary funds mailbox.

Periodically, but no less than once per week, a supervisor shall check the temporary funds mailbox and retrieve individual evidence locker keys. The supervisor shall then remove all property from all evidence lockers.

Permanent Storage

The supervisor shall ensure that the property is properly packaged and that the Property Record has been completed correctly. The supervisor shall then transfer the property to an Evidence Room, storage safe. The Evidence Room safe area shall remain locked at all times. The supervisor shall log the property in and sign the appropriate block on the Property Record. All property stored in an Evidence Room storage safe shall be contained within a large manila displaying the CCN and filed in consecutive order.

Exceptions to this policy include:

- ☐ When an employee transports a firearm directly to the PGPD Firearms Examination Unit (FEU) during the watch in which it was recovered
- ☐ When property is submitted directly to the PGPD DNA Laboratory for forensic analysis
- ☐ When specific property is transferred directly to another law enforcement agency for forensic analysis.

Retention by Officers

Employees shall not retain property solely for court presentation. Non-monetary paper evidence, such as written statements or photographs, may be stored in the case file. Supervisors may authorize exceptions in unusual circumstances.

3. Evidence

If any employee requires assistance with evidence collection, a member of the Special Response Team (SRT) will be contacted. If evidence collection is associated with an enumerated crime referred to in the MOU between the CPD and PGPD, the services of a PGPD evidence technician shall requested through Public Safety Communications (PSC).

4. Evidence Collection

The reporting employee is responsible for ensuring that all evidence has been processed and recovered from the scene of an incident. When the crime scene or evidence will not be processed by a PGPD specialized unit, e.g. Collision Analysis & Reconstruction Unit (CARU) or the Criminal Investigations Division (CID) in association with the current MOU between the CPD and PGPD, the reporting employee shall ensure that the scene and all evidence is processed and recovered.

Whenever a crime scene is not processed, supervisory concurrence will be obtained and documented on the report.

Photographing Incident Scenes

Evidence will normally be photographed with a Departmental digital camera before it is recovered for packaging. The SRT will archive all such digital photographs on a Department approved computer. If special prints, posters, or other photographic

materials are needed for court presentation, a member of the SRT shall arrange for these materials.

Surgically Recovered Evidence

When investigating an incident that has resulted in the hospitalization of a suspect or victim, and items of evidence will be surgically removed, the employee will wait at the hospital to recover the evidence.

When possible, the employee shall speak to a member of the surgical team before the operation, explaining the Department's interest in recovering the evidence as undamaged as possible.

If surgery will not occur immediately, the investigator shall request to be notified when the surgery is scheduled. The investigator shall leave a number by which he or she can be contacted, as well as the number for Public Safety Communications, in the event that he or she cannot be reached.

If the hospital staff notifies the investigator of the pending surgical procedure, the investigator or an alternative officer shall be present to take custody of the evidence.

The recovering employee will protect the item to ensure its evidentiary value. The SRT investigator shall describe the item on the Property Record, noting the following:

- ☐ Name, age, race, and sex of the patient
- ☐ Date, time, and location of recovery
- ☐ The anatomic location from which the object was removed

The removing physician's printed name and signature shall be noted on the container in which the item is placed. This step is taken to preserve the chain of custody. The recovering employee may provide a receipt of transfer for the evidence to the medical staff if one is requested.

Chain of Custody

A chain of custody will be maintained for each item of evidence recovered.

For non-narcotic property, the chain of custody is documented on the reverse of the Property Record when custody is transferred. Receiving employees are responsible for the documentation.

Employees shall document chain of custody information when items of evidence are delivered to outside agencies.

Evidence Retained by Court

Property removed from the Evidence Room for court must be returned the same day unless approved by a supervisor or held by the court for a current case or pending appeal. Problems with the expeditious return of property will be noted in a memorandum submitted to the Chief of Police.

Obtaining property for court purposes: In the event an Officer needs property for court purposes, in an effort to streamline property procedures and to maintain a more secured chain of custody, it is the responsibility of the Officer to notify the Property Coordinator forty eight (48) hours prior to court.

Employees shall complete the Property Record as Evidence Form whenever the courts retain property for evidentiary purposes. The employee shall contact the OSA prior to court to verify which items will be introduced as evidence. The form must be completed in quadruplicate and presented to the OSA or court clerk. The employee may only include those items that will be used as evidence.

If the property has been introduced as evidence, but the employee is excused from court, the court clerk must sign the form and accept custody of the evidence.

The employee will retain Copy #3 (pink) for his or her records, and forward Copy #4 (goldenrod) to a supervisor. When the evidence can be released, the court shall contact the Department and a supervisor will arrange for pickup of the evidence.

5. Notification to Owner

When property is recovered and the owner is known, the property custodian shall notify him or her. This may be accomplished in person, by telephone, or by mail. In any case, the employee shall inform the owner that he or she must provide

proof of identity and claim the property within 30 days of its recovery.

This provision does not apply for items being held for forensic analysis.

The employee making the notification shall check the appropriate box on the Property Record indicating the method of notification. Notifications by mail are made using the Notification Letter. The employee shall attach a copy of the letter to the Property Record before the property is submitted.

When the property owner is unknown at the time of recovery, the employee shall note that on the Property Record. If the owner information is discovered later, the property custodian shall notify the owner via the Notification Letter. The employee shall also forward a copy of the Notification Letter to a supervisor.

Release to Owner

Employees shall use the Disposition section on the reverse of the Property Record to release property to owners. Property shall normally be held for 60 days (except seized firearms). If not claimed or returned to its owner within that time, the Property Record listing the unclaimed item(s) and a brief memorandum listing the action taken shall be submitted to the Chief of Police for disposal.

Once any firearm is logged into police custody, it may only be released upon approval of the Property Coordinator. Claimants must provide proper identification and proof of ownership.

Property will not be released to owners if it is:

- ☐ Contraband
- ☐ Held as evidence
- ☐ Money confiscated for vice violations

If ownership cannot be clearly established through provided documentation or the preponderance of facts, the property may only be released with the approval of the Property Coordinator. The review and approval shall be noted on the Property Record.

Release to Finder

When an employee recovers property found by

another, and ownership cannot be established, he or she shall notify the finder that the property may be released to him or her if:

- ☐ The property is not claimed by the owner within 30 days of the date of recovery
- ☐ The finder lays claim within 60 days of the date of recovery
- ☐ The property is not contraband or a firearm
- ☐ The finder has proper identification

Property Receipts

The goldenrod copy of the Property Record also serves as a citizen's receipt. Employees shall issue receipts to those who find property having monetary value. The finder shall not sign the receipt copy of the Property Record. Employees shall not issue receipts to those who find:

- ☐ CDS
- ☐ Contraband
- ☐ Evidence recovered from a crime scene, whatever its value

Receipts are not issued for inherently worthless items or items that are so extensively damaged as to have no monetary value.

In cases where no receipt is issued, the recovering employee may:

- ☐ Discard the goldenrod copy
- ☐ Retain it
- ☐ Give it to another employee who has interest in the case

6. Assisting the Fire Department with Major Fires

Property recovered by Fire Department personnel because of an overhaul operation shall be turned over to a police officer. Officers shall accept custody of the recovered property when:

- ☐ The items have value and are small enough to be concealed in a person's clothing or are firearms
- ☐ A reasonable effort by Fire Department personnel has failed to locate the owner of the property

An officer receiving property from Fire Department personnel shall document the following information on an Incident Report:

- ☐ The name, ID number, and assignment of the individual who recovered the property
- ☐ The exact location that the property was found
- ☐ Efforts made to locate the owner

7. Submission of Large Sums of Money & Valuables

Submitted money or valuables worth less than \$5,000.00 shall be stored in an Evidence Room safe. The items shall be logged and processed in the same manner as narcotic property.

Money or valuables worth \$5,000.00 or more shall be transported to the Evidence Room and stored temporarily. Officers who recover large sums of money shall request that a supervisor respond to the scene. The supervisor shall count the money in the presence of the recovering officer.

The supervisor shall then contact the Chief of Police and a determination shall be made whether to accept permanent storage at a CPD facility or arrange for offsite storage at a financial institution.

Currency Seized for Forfeiture *(Maryland Criminal Procedure Title 12)*

Maryland law requires that the Town petition for the forfeiture of money and personal property when seized during gambling and CDS investigations. Prince George's County's Office of Law handles these proceedings. Petitions must be made within 90 days of the final disposition of the criminal case.

Asset Evidence: After the recovery of any sort of assets, the recovering Officer will complete all necessary departmental paperwork. Upon completion, the Officer must log the assets in the Hold logbook. The Officer must include the CCN#, description to the Assets, date and time of the log and the reason for the log (Asset forfeiture, releasable property etc.). After completing the logbook, the Officer will then place the Assets in one of the secure lockboxes in the evidence room. Upon completion, the property coordinator will then review all paperwork for modifications and/or

corrections and log the Assets into the Drugs and Assets logbook and place the Assets in the Cheverly Police Property Room pending disposition.

Employees who seize currency for forfeiture as a result of gambling or CDS investigations shall write "CONFISCATED MONEY" in the lower left corner of the narrative section of the Arrest Report. Employees shall forward copies of the following to the Office of Law:

- ☐ Arrest Report Incident Report
- ☐ Vehicle/Asset Forfeiture Summary Report

The Office of Law will monitor cases involving confiscated money through disposition. The Office of the State's Attorney's (OSA) Asset Forfeiture Unit coordinates the processing of forfeiture cases from initial seizure through final court disposition in cooperation with the Office of Law.

Authority to Seize CDS-Related Currency

Currency may be seized and subject to forfeiture if the currency has a direct relationship to CDS-related violations.

The following are examples of such cases:

- ☐ Currency used to facilitate a CDS transaction
- ☐ Currency located in close proximity to seized CDS (when the CDS constitutes PWID or a felony charge)
- ☐ Currency that is proceeds from the distribution of CDS

If assistance is needed to determine whether monies or other valuables are subject to forfeiture, a supervisor shall be contacted. In addition, PGPD NED's Narcotic Asset Forfeiture Unit (NAFU) may be contacted for assistance or expertise.

Officer's Responsibilities

Upon the seizure of assets in CDS-related cases, the reporting officer shall complete an Asset Forfeiture Summary Report within 24 hours and distribute it as follows:

- ☐ White and pink copies — OSA/Asset Forfeiture Unit

- ☐ Yellow copy — PGPD Records Section
- ☐ Green copy — Officer

Copies of the Incident Report and Property Record(s) will accompany the Asset Forfeiture Summary Report.

Currency Held as Evidence

If currency seized for evidence or forfeiture is needed for legal proceedings, the officer shall:

- ☐ Photograph (not photocopy) the currency
- ☐ Record the serial numbers of each piece of paper currency, by denomination, on as many Property Records as needed

Photographs may be substituted for the currency in criminal cases. Seizures of currency involving more than one bill shall be photographed as a whole, not separately.

8. Routine Deaths

When an officer determines that the deceased has no living next of kin or relatives or cannot locate any, he or she shall:

- ☐ Contact the Prince George's County Office of the Sheriff (OSPG) to arrange for a court order securing the deceased's property
- ☐ Request that a deputy respond to the scene and take custody of the property

The following information will be supplied to the OSPG:

- ☐ Name of the deceased
- ☐ Address and description of the property to be safeguarded
- ☐ The reason for the request
- ☐ Materials needed to properly safeguard the property
- ☐ Telephone number where the officer can be contacted

After the OSPG has been contacted, it should be no more than two hours until a deputy arrives on the scene with a court order that legally authorizes the safeguarding of the deceased's property.

The requesting officer will note in the report the name and ID number of the deputy who receives custody of the property.

Removing Property from the Deceased

If the deceased is removed from the scene before the arrival of a deputy, the officer handling the case shall:

- ☐ Inspect the deceased for articles of value
- ☐ Remove those articles from the body and inventory them on a Property Record

Upon arrival of the deputy, the officer will have the deputy sign the Property Record and take custody of the items.

If the removal of property from the body would result in damage to the item, destruction of evidence, or desecration of the body, the officer shall:

- ☐ Note the item on the report documenting why it was not removed
- ☐ Photograph the items before the body is removed

When photographs are taken, it shall be noted on the Special Report.

The individual accepting custody of the body will be requested to sign for any property that accompanies the deceased.

Release of Property to Next of Kin

Provided that an immediate family member's identity and relationship to the deceased is established to the officer's satisfaction, property belonging to the deceased may be released by the officer at the scene. In cases involving persons that are not immediate family, authorization must be obtained from the Office of Register of Wills to release the deceased's property.

Immediate family includes:

- ☐ Parent
- ☐ Spouse
- ☐ Child

9. Recovering Stolen Property from Pawn Shops

The SRT is responsible for recovering stolen property from pawn shops. The SRT, in conjunction with the PGPD Pawn Unit, shall initiate a STOP number, complete a Pawn Recovery Sheet, and forward it to the investigator handling the case. The investigator shall:

- ☐ Meet with the victim at the pawn shop to recover the property
- ☐ Prepare a Property Record to document the recovery
- ☐ Have the victim or his or her designee sign the reverse side of the white copy of the Property Record
- ☐ Give the yellow copy of the Property Record to the victim or his or her designee
- ☐ Have the victim or his or her designee and the employee from the pawn shop releasing the property sign the Pawn Recovery Sheet
- ☐ Distribute the copies of the Pawn Recovery Sheet to the following:
 - Pink copy to the employee from the pawn shop
 - Yellow copy to the PGPD Pawn Unit
 - White copy is retained by the investigator
- ☐ Send copies of Pawn Recovery Sheet, Incident Report, and Property Record to the SRT and the PGPD Pawn Unit

10. Forensic Examinations

This CPD utilizes the Prince George's County Police Department's forensic analysis components for the majority of its forensic examinations. Since CPD officers have to follow the same protocols as that of PGPD officers, information and submission procedures are included for all such components.

11. PGPD Computer Forensic Unit (CFU)

The CFU collects and examines data contained within computer systems, computer hardware and other devices capable of capturing and/or storing data electronically. The recovered data is then analyzed for its evidentiary value. The CFU also can assist this Department with computer crime investigations.

Criminal acts discovered by CFU beyond computer crime shall be referred back to the CPD unless such investigatory responsibility is delineated for certain crimes listed in the current MOU between the CPD and PGPD for jurisdictional police services.

All requests for examination shall be directly related to an active investigation.

Seizure of Computer Media

The CFU has the capability of seizing any devices capable of capturing and/or storing data electronically. Investigators who target computer systems and any other devices capable of capturing and/or storing data electronically in a search and seizure warrant shall notify the CFU at least 48 hours prior to the execution of the warrant. When available, a CFU investigator will respond to the scene and assist by safely shutting down the computer system and collecting items to be analyzed. If the CFU assumes the investigation by request or in accordance with the MOU for jurisdictional police services, the CFU investigator will take custody of seized computer items and transport them to the CFU.

Submitting Items to CFU

Investigators who request analysis of electronic media shall transport the items directly to the CFU during regular business hours. Officers are cautioned regarding the properties of electronic storage devices and shall take steps to prevent their exposure to harsh conditions and magnetic fields. Officers intending to transport items to the CFU shall first contact the unit by telephone to ensure that a CFU investigator is available to accept custody of the evidence.

When circumstances prevent a timely response to the CFU, the officer or investigator shall submit the property to an evidence locker and the key to the temporary funds mailbox in accordance with the evidence submission procedures of this General Order. "FOR CFU ANALYSIS" shall be placed on the Property Record after "LAST ITEM." A supervisor checking property submissions shall then make arrangements to submit this evidence to the CFU rather than transfer the property to an Evidence Room storage safe. The supervisor shall

arrange transport of the items with 72 hours. Upon completion of analysis, CFU will send a Report of Findings to the requesting officer.

Copies of the original evidence, under certain circumstances, may be stored at CFU. If the Office of the State's Attorney requires that the actual item be analyzed, the request will be honored by CFU. CFU may hold such items or return them back to the submitting officer. This will be indicated in the last paragraph of the analysis report.

CFU's hours of operation are:

- ☐ Monday to Friday
- ☐ 0700 hours to 1500 hours

12. PGPD Serology & DNA Laboratory

The chemists in the Serology and DNA Laboratory analyze submitted property for the presence of biological evidence, develop DNA profiles, and when possible, determine the source of the evidence.

Biological evidence may include blood, semen, saliva, sweat, hair, bones, tissue, etc.

Handling & Collection Procedures

Proper handling and submission of biological evidence is vital for reliable examination. Officers having questions regarding biological evidence may request guidance from the PGPD Forensic Services Division or the DNA Laboratory.

Employees shall follow these guidelines when recovering biological evidence:

- ☐ Always assume the evidence is a biohazard and handle accordingly
- ☐ Always handle the evidence with gloves and/or protective clothing
- ☐ Package each item separately in paper or cardboard, not in plastic bags
- ☐ Seal each item with evidence tape and sign over the seal
- ☐ Label each evidence container with the case and item numbers, and affix a biohazard label
- ☐ Items of evidence should not be stored in extreme heat or placed in direct sunlight

Submitting Items for DNA Analysis

All submissions require a Property Record. More than one item may be listed on the Property Record. Each individual item must have an Evidence Tag/Chain of Custody attached.

When circumstances prevent a timely response to the Serology and DNA Laboratory, the officer or investigator shall submit the property to an evidence locker and the key to the temporary funds mailbox in accordance with the evidence submission procedures of this General Order. "FOR SEROLOGY OR DNA ANALYSIS" shall be placed on the Property Record after "LAST ITEM." A supervisor checking property submissions shall then make arrangements to submit this evidence to the Serology and DNA Laboratory rather than transfer the property to an Evidence Room storage safe. The supervisor shall arrange transport of the items with 72 hours. Upon completion of analysis, the Serology and DNA Laboratory will send a Report of Findings to the requesting officer.

DNA Laboratory hours of operation are:

- ☐ Monday to Friday
- ☐ 0800 hours to 1600 hours

DNA Laboratory is closed on holidays.

13. PGPD Firearm & Toolmark Examination Unit (FEU)

CPD officers shall submit for examination firearms and related items to the FEU. The FEU examines these items as well as toolmark related evidence such as pry marks made by burglary tools.

Firearms

The proper handling and submission of firearms allows for reliable examination by FEU and other investigative entities.

Whenever possible, investigators shall recover firearms. FEU shall be contacted whenever a firearm needs to be recovered from water. Employees having questions regarding the proper handling of firearms may request guidance from the FEU. Loaded firearms shall not be submitted to FEU for examination.

Collection & Packaging

Recovered Firearms: After the recovery of a firearm, the recovering Officer will complete all necessary departmental paperwork. Upon completion, the Officer must log the Firearm in the Hold logbook. The Officer must include the CCN#, description to the firearm (serial number and caliber), date and time of the log and the reason for the log (Court Evidence, releasable property etc.). After completing the logbook, the Officer will then properly package the firearm and place the firearm in one of the secure lockboxes in the evidence room. Upon completion, the property coordinator will then review all paperwork for modifications and/or corrections and log the Firearm into the Property and Firearms logbook and place the Firearm in the Cheverly Police Property Room pending disposition.

Employees shall never:

- ☐ Assume a weapon is unloaded and safe
- ☐ Attempt to test fire a firearm
- ☐ Clean the barrel, chamber, or cylinder of a firearm
- ☐ Disassemble a firearm
- ☐ Insert pens, pencils, or foreign objects into the barrel or chamber of a firearm
- ☐ Point a weapon at others

Employees shall record the following and provide it to the firearm examiner:

- ☐ Whether a fired or unfired round was in the chamber or cylinder
- ☐ Hammer position (down, half-cocked, cocked)
- ☐ Make, model, serial number, barrel length, and finish of the firearm
- ☐ Position of the safety
- ☐ Position of the slide

Clips or magazines shall not be stored in a weapon. Ammunition shall not be stored in a clip or magazine. Firearms and ammunition shall be packaged separately and submitted as different items. Any questions shall be directed to FEU.

NCIC Checks

When a firearm is taken into custody that is not listed as stolen in NCIC or cannot be checked through NCIC, the recovering employee shall contact the Telecommunications Unit and provide the:

- ☐ Make
- ☐ Model name and number
- ☐ Serial number or unique identifying number
- ☐ Physical description of the firearm, including size, type, and color

The PGPD Telecommunications Unit shall make an entry in the NCIC Recovered Gun File. NCIC retains the information for the balance of the year of entry plus two years. The recovering officer shall document the stolen status and gun file entry on the Property Record.

Submitting Items to FEU

Employees shall submit for examination firearms and related items that they seize or recover to FEU, and shall itemize all appropriate items submitted for analysis on a Request for Analysis Form when a complete analysis is required. A copy of the Incident Report and Property Record shall be attached to the Request for Analysis Form. A separate Property Record is required for each firearm submitted. Associated ballistic evidence or leather goods shall be packaged separately and submitted on a separate Property Record. Employees shall document the exact address for all firearm seizures and recoveries.

Items that have blood or body fluids on any surface should be submitted after the item has dried. Biohazard labels shall be attached to the packaging for the safety of the examiner.

Employees shall directly transport all recovered firearms and firearms-related evidence to FEU, if open. Chain of custody information and a receipt stamp will be placed on the Property Record by FEU and the officer's copy returned to him or her.

Employees intending to transport such evidence to FEU shall first contact the unit by telephone to ensure that an FEU analyst is available to accept the item.

When circumstances prevent a timely response to

the FEU, the officer or investigator shall submit the property to an evidence locker and the key to the temporary funds mailbox in accordance with the evidence submission procedures of this General Order. "FOR FEU ANALYSIS" shall be placed on the Property Record after "LAST ITEM." Officers checking property submissions shall then make arrangements to submit this evidence to the FEU rather than transfer the property to the Evidence Room storage safe. The supervisor shall arrange transport of the items with 72 hours. Upon completion of analysis, FEU will send a Report of Findings to the requesting officer.

Submission hours:

- ☐ Monday to Friday
- ☐ 0730 hours to 1700 hours

FEU is closed on holidays.

Submission of Handguns Involving Criminal Charges

Officers seizing handguns when criminal charges are filed shall:

- ☐ Process the firearm and/or ammunition for latent prints prior to submission
- ☐ Complete a Property Record, describing the handgun by make, model, and serial number
- ☐ If the owner is different from the possessor, include the owner's name and address, if known
- ☐ Transport the weapon to FEU or place it in Property prior to the end of watch

Criminal Law Article 4-203 — Wearing, Carrying, or Transporting a Handgun

Handguns seized pursuant to the provisions of Maryland Criminal Law Article 4-203 are subject to forfeiture.

When an officer seizes a handgun pursuant to the aforementioned statute, he or she shall print the words "FOR FORFEITURE" in bold letters in the description section of the Property Record. This applies even if the possessor is not charged with a violation of the aforementioned statute, though he or she may be charged with another crime, such as armed robbery. A supervisor shall notify the

owners of these handguns regarding the forfeiture appeal process.

Officers seizing handguns under this law can help expedite the return of a gun to its owner if the gun has been reported stolen. In these cases, "HOLD FOR OWNER" shall be printed in bold letters beneath "FOR FORFEITURE" and the owner will be advised to apply to the CPD for the return of the gun.

Submission of Long Guns Involving Criminal Charges

When a rifle or shotgun is seized and charges are filed, officers shall immediately:

- ☐ Complete a Property Record including the name and address of the owner if different from the possessor.
- ☐ Notify the owner
- ☐ Submit the firearm to FEU using the same procedures detailed above

Test Firing

Test firing of recovered or seized firearms is done by FEU. Seizing or recovering employees shall witness test firings. The witnessing employee will be given a letter for use in court certifying that the firearm functions.

Other Weapons

CPD employees that seize weapons other than firearms shall handle the weapon in the same manner as other property.

Special Police Officer (SPO) Responsibilities

SPOs are required to follow the same procedures as CPD officers when submitting firearms for test firing. They are responsible for transporting firearms to FEU during normal business hours. If seized after FEU business hours, the SPO may place the firearm in temporary storage with the CPD. The supervisor placing the weapon in storage shall inform the SPO that he or she must retrieve and transport the weapon to FEU within 72 hours.

14. Drug Laboratory

Employees seizing Controlled Dangerous Substances (CDS) or suspected CDS shall maintain strict control and supervision over the property until submission. Other employees shall be brought into the chain of custody only as necessary, and every transfer shall be documented on the Chain of Custody Log/ Request For Analysis/Analysis Report Form.

On-duty or off-duty officers shall submit seized or recovered CDS immediately, unless custody is transferred to another officer. If the CDS is transferred, the accepting officer shall be responsible for its submission.

Submission Procedures & Reporting

All submissions of CDS require:

- ☐ A Chain of Custody Log
- ☐ Adhesive Evidence Label
- ☐ Incident Report
- ☐ A biohazard label if the CDS was recovered from a body cavity or is contaminated by body fluids

The Chain of Custody Log must be typed and shall document every transfer of custody. If assigned, the District Court tracking number shall be recorded below the CCN.

Drug Seizures: After seizing contraband and completing the required Chain of Custody/Analysis Request the contraband must be logged into a HOLD logbook. The Officer must include the CCN#, description of the CDS, date and time of the log and the reason for the log (for analysis, to be destroyed etc.). After completing the logbook, the Officer will then place the CDS in one of the secure lockboxes in the evidence room. Upon completion, the property coordinator will then review all paperwork for modifications and/or corrections and log the CDS into the Drugs and Assets logbook. The property coordinator will then transport the CDS to the Drug Lab for analysis or destruction. The Property Coordinator will then place a copy of the Chain of Custody/Request for Analysis in the requesting officer's mailbox for their records.

Weighing CDS

All CDS materials shall be weighed before being packaged for submission. Whenever practical, to ensure the most accurate weight, officers should attempt to remove the CDS from the container or wrapping in which it was seized. The weight of the CDS shall be listed in the DETAILED DESCRIPTION block of the Chain of Custody Log. Property items suspected of containing minimal residue or trace amounts of CDS shall be counted and not weighed.

Another employee shall witness the weighing or counting of the CDS and place his or her signature in the COUNTING/WEIGHING WITNESSED BY block on the Chain of Custody Log. The employee's signature indicates only that he or she witnessed the weighing or counting and submission. The employee shall not become part of the chain of custody unless absolutely necessary.

Packaging CDS

All CDS shall be submitted in clear 9/2" x 16" heat-sealable, plastic pouches. Different types of CDS shall be submitted in separate pouches. Items found in different locations or recovered from different defendants shall be packaged separately.

If seized items are too large to be placed in a pouch, they should be placed in a box or other suitable container. The container should then be sealed with evidence tape, initialed, and dated by the submitting officer. A specific description of the contents of the box shall be placed on the outside for the safety of the drug laboratory chemists.

Recovered packaging, such as glass vials, film canisters, and envelopes, shall be placed within the pouch. Glass and fragile containers shall be wrapped with sufficient clear plastic padding to prevent breakage. All containers shall be securely taped to prevent leakage or spillage. Sharp edges that might appear on pipes or broken items shall be wrapped or boxed to prevent injury. Syringes shall be packaged as described in the section of this directive titled ***Paraphernalia***.

After packaging, the employee shall affix the completed adhesive Evidence Label to the extreme lower right corner of the pouch, and a biohazard label, if required. The pouch shall then be placed in

the heat sealer and sealed approximately one inch from the top. The employee shall place his or her initials over the heat seal. Employees shall not fill the pouch to the extent that it would prevent laboratory personnel from opening and resealing it.

After weighing and packaging, the employee shall attach the Chain of Custody Log to the pouch above the heat seal. A maximum of three separately bagged items can be listed on one Chain of Custody Log.

The employee shall then deposit the CDS in an unused evidence locker, remove the evidence locker key, and deposit the key in the temporary funds mailbox.

If the amount of CDS is too large to fit in the evidence locker, the employee shall personally deliver the CDS to the Drug Laboratory. If the Drug Analysis Laboratory is closed, the employee shall request the response of a supervisor who shall then secure the property in the Evidence Room safe area until the CDS can be delivered to the Drug Analysis Laboratory.

CDS To Be Analyzed

The property custodian or designee shall be responsible for transporting all CDS items to the drug lab.

The Drug Analysis Laboratory does not analyze all CDS evidence that it receives. Analyses are conducted only on receipt of a subpoena from the OSA or a memorandum from an employee to the Director of the Drug Laboratory requesting the analysis. This memorandum can go directly to the Director of the Drug Laboratory.

CDS to be Destroyed

For CDS that is to be destroyed without analysis, the employee shall write "TO BE DESTROYED" at the top of the Chain of Custody Log. The employee shall also check the TO BE DESTROYED block and sign and date the form. The CDS can then be submitted to an unused evidence locker and the evidence locker key to the temporary funds mailbox.

Paraphernalia

Hypodermic syringes and needles shall be packaged in leak proof, puncture-resistant, plastic Biohazard Tube. The sealed tubes shall be placed in a heat-sealed pouch. Syringes and needles will be inserted sharp end first into the plastic tube and the cap firmly tightened.

Employees shall not attempt to make the needle safe or unusable by re-sheathing with protective cap, cutting, bending, or removing the needle from the syringe. Syringes will be packaged separately from other evidence. Biohazard labels will be placed on the Biohazard Tube and the evidence pouch.

Plants

Whole plants greater than one foot in length shall not be submitted for analysis. Employees shall weigh and photograph the plant in its natural form. They shall cut or break the plant apart and then submit leaves, flowering tops, stems, and seeds for analysis. The remainder of the plant, including mature stalks and roots, shall be submitted on a separate Chain of Custody Log and marked for destruction.

Wet vegetable matter shall not be placed in a pouch. If the material does not dry naturally within the seizing employee's tour of duty, custody shall be transferred to a supervisor who shall photograph the material and arrange for its secure storage until the material dries.

The supervisor shall weigh and package the material and submit final paperwork when the material has dried.

Liquid CDS

Employees seizing suspected liquid CDS shall exercise extreme caution in handling it, considering potentially carcinogenic, toxic, flammable, and explosive properties. If the container is leaking, employees shall not touch it and shall contact a supervisor. The Drug Analysis Laboratory or PGPD NED may then be contacted for assistance. They shall wear gloves when handling the containers of suspected CDS and shall not open the container. The seizing officer shall immediately submit liquid CDS seizures to the Drug Analysis Laboratory. If the Drug Analysis Laboratory is closed, the CDS shall be packaged in compliance

with the taping and padding procedures described above in **Packaging CDS**. For assistance in packaging, officers may consult the Drug Laboratory during normal business hours or PGPD NED after hours.

Seizures of one pint or more of liquid CDS require notification to a supervisor. The supervisor should then consider calling PGPD NED or assistance with packaging and/or storage.

Employees encountering unknown substances, unmarked CDS containers, raw CDS manufacturing chemicals, or other possible evidence of clandestine laboratories shall immediately notify a supervisor. The supervisor shall contact PGPD NED for assistance and specific guidance. Employees shall wear protective gloves and handle such items as little as possible.

Pills, Tablets, & Capsules

Pills, tablets, and capsules shall be counted individually and weighed as a group, provided all items within the group are the same. Different pill types, such as tablets and capsules, require separate groupings.

Obtaining CDS Evidence for Court

Employees needing CDS evidence for court shall obtain that evidence from the Drug Analysis Laboratory on the court date. It shall be returned to the Drug Analysis Laboratory immediately following the conclusion of that day's court proceedings. The Drug Laboratory Vault will be open for pick up and return from 0800 to 1600 each day the courts are open.

If the Drug Analysis Laboratory is closed when court proceedings end, the employee shall resubmit the evidence using the same procedures as a new submission noted earlier in this General Order. In addition, the employee shall immediately contact a supervisor so that the supervisor can arrange transport of the evidence back to the Drug Analysis Laboratory as soon as possible. Employees shall never possess checked-out CDS evidence overnight.

There is no need to weigh the evidence prior to its resubmission unless the court opened the evidence

pouch. If the court opened the evidence pouch, Drug Analysis Laboratory personnel will weigh the pouch upon its receipt.

When returning CDS property to the Drug Laboratory that is no longer needed as evidence, the employee shall write "TO BE DESTROYED" on the top of the Chain of Custody Log and record his or her signature and the date. The Drug Laboratory shall then prepare the CDS for the next destruction date.

If forfeitures of money or property are involved in a civil proceeding, the employee shall verify with the County Attorney's Office that the drugs are not needed.

Destruction of Controlled Dangerous Substances (CDS)

The Drug Analysis Laboratory will obtain permission to destroy the CDS property submitted by an employee. Subsequently, all CDS property will be inventoried to ensure that the documented drugs are present and then destroyed utilizing procedures concurrent with PGPD policy. Disposition sheets will be signed and a file maintained at the Drug Laboratory.

For CPD cases where CDS was submitted to property storage and not the Drug Analysis Laboratory, a supervisor accompanied by a Departmental witness will transport the CDS to the Public Works yard, and with the assistance of the Public Works Director, incinerate all CDS and any related paraphernalia.

In the case of a liquid CDS or any flammable or toxic chemical or substance, the supervisor will arrange for the substance to be transported to the Drug Analysis Laboratory for destruction.

15. Submission of Fingerprints to PGPD RAFIS

All completed latent fingerprint evidence shall be placed in a Latent Evidence Envelope and sealed with red and white evidence tape to maintain the chain of custody. All latent fingerprint evidence shall be submitted to the SRT prior to the end of the submitting officer's tour of duty. The SRT shall ensure that the Latent Evidence Envelopes are

properly secured with evidence tape.

A member of the SRT will then arrange to transport the Latent Evidence Envelopes to RAFIS within 7 days.

RAFIS personnel shall be available to accept latent fingerprint evidence on Tuesdays and Wednesdays during normal business hours.

A case requiring immediate or "rushed" analysis by a fingerprint examiner shall be expediently hand-carried to RAFIS by a member of the SRT. Prior to responding to RAFIS, the employee shall notify the RAFIS Supervisor. The RAFIS Supervisor shall confirm the availability of a fingerprint examiner and shall also determine the priority level of the case.

All requests for examination must be accompanied by a Request for Latent Fingerprint Examination Form.

Only incoming latent fingerprints of sufficient quality to be submitted to the Automated Fingerprint System (AFS) will be entered into AFS and noted on the envelope.

When an officer makes an arrest in a case where latent fingerprints were previously submitted for analysis, the submitting officer shall notify the RAFIS Unit using the Request for Latent Fingerprint Examination Form.

Fingerprint Comparison Cases

Whenever a suspect is identified by latent fingerprints, RAFIS will provide the following information to the submitting officer:

- ☐ Name and ID number of the employee who lifted the latent fingerprint
- ☐ Name of employee who compared the fingerprints and made the identification
- ☐ Name and ID number of the employee who fingerprinted the suspect on the card used to make the identification

When an examination is made and the results are negative, this information will be noted on the report and a copy returned to the requesting officer.

16. Disposition of Non-CDS Property

Every 60 days, a supervisor shall query the property storage and inventory computer for outstanding property cases and send a status inquiry to all affected officers. The status request will determine if property items are still needed for court, pending further examination, or still associated with open, prosecutable cases. With an affirmative answer, this property shall continue in storage.

When an affected officer indicates by signature that items of property are no longer required for court, further examination or investigation or in cases where an owner cannot be contacted after a notification attempt(s), then the supervisor will compile these items of property along with original Property Records.

Firearms

Handguns in reasonable condition shall be retained by the Department and permanently stored in the Evidence Room in a safe specifically maintained for such purposes.

Rifles and shotguns that cannot be converted to use by the Department upon approval of the Chief of Police, starter pistols, BB and pellet guns, and non-operating facsimiles shall be transported to the Public Works yard by a supervisor, and in the accompaniment of another police employee and the Public Works Director, destroyed using a torch or other competent means. This destruction and the signatures of all persons present shall be noted on each individual Property Record.

Valuables

Valuables, for which an owner cannot be found, court forfeited items, and other usable property items that are unclaimed, may be converted to use by the Department or another Town component upon the authorization of the Chief of Police.

Other valuables, such as jewelry items, watches, electronic equipment, items in their original purchase packaging, etc., may be sold at public auction or through online services (i.e., ebay, Craig's List, etc.) upon approval of the Chief of Police, and the monies derived from sales deposited

through the Town Treasurer in the Department's Forfeiture Account. The Chief of Police may arrange for appraisals of all property based upon obvious or known value prior to any sale.

Monies and Currency

All forfeited or unclaimed monies and currency shall be deposited through the Town Treasurer in the Department's Forfeiture Account.

General Property

Property that does not have any significant value, contraband, and papers, files, and other documents shall be destroyed by a supervisor. These items shall be transported to the Public Works yard by a supervisor, and in the accompaniment of another police employee and the Public Works Director, destroyed by incineration or other competent means.

The Property Records from these destructed items shall be maintained together in an appropriate storage envelope that documents the date of destruction and the persons who witnessed the destruction with their signatures. Records of all such destructions will be stored in the Evidence Room for a period of ten (10) years.

VI. GOVERNING LEGISLATION & REFERENCE

Governing Legislation:

- ☐ Maryland Criminal Procedure Title 12
- ☐ Criminal Law Article 4-203

Related:

- ☐ Memorandum of Understanding (MOU) between the Cheverly Police Department and the Prince George's County Police Department for Jurisdictional Police Services (July 2008)

PURSUITS**I. POLICY**

When officers operate vehicles in pursuits, their primary concern shall be the preservation of life. Officers must not disregard safety with the single-minded goal of apprehension.

Officers must maintain a balance between the need to apprehend the violator and the risks of potential danger to themselves and citizens. The identification and apprehension of the violator are secondary concerns during a vehicle pursuit.

Officers are granted special privileges under State law while operating emergency vehicles with their emergency equipment activated. They are not relieved of the responsibility of driving with due regard for the safety of all persons, and are not protected from the consequences of failing to exercise reasonable care under these circumstances.

The driver of an emergency vehicle, with emergency lights and siren activated, may proceed through a red or stop signal, a stop sign or yield sign, but only after slowing down or stopping to ensure that the intersection may be safely entered.

Nothing in this directive shall be construed to release the operator of a Departmental vehicle from civil or criminal liability for failure to use reasonable care in the operation of an emergency vehicle.

Pursuits within/outside the Town

Officers may only engage in vehicle pursuits in the Town, and neighboring jurisdictions outside of the Town, if there is reason to believe that the fleeing suspect is committing, has committed, or attempted to commit one of the following:

- ☐ Homicide
- ☐ Kidnapping
- ☐ 1st Degree Rape/Sexual Offense
- ☐ Contact Shooting
- ☐ Armed Robbery
- ☐ Armed Carjacking
- ☐ Deadly Force Against a Law Enforcement Officer

Vehicle pursuits shall be conducted in strict compliance with Maryland statutes and Departmental directives. Under no circumstances will any pursuit be contemplated or initiated for traffic only violations.

II. CHECKLIST (N/A)**III. DEFINITIONS**

Emergency Equipment: Emergency lights and siren

Emergency Vehicle: A vehicle equipped with audible and visual emergency equipment as defined in Sections 11-118 and 21-106 of the Maryland Transportation Article (Maryland Vehicle Law)

Federal Removal: A document authorizing the transfer of custody of an individual from a local jurisdiction to a federal agency (United State's Code)

Fresh Pursuit: A pursuit initiated in another County or State (including the District of Columbia) by any duly organized State, County, or municipal law enforcement officer. Fresh pursuit shall not necessarily imply instant pursuit, but pursuit without unreasonable delay (Maryland Code)

Primary Pursuit Unit: The emergency vehicle that initiated the pursuit or the emergency vehicle closest to the suspect; could change during the pursuit

Secondary Pursuit Unit: Any emergency vehicle authorized to be involved in a vehicle pursuit and that is not the primary unit

Supervisor: In this section, a supervisor is an officer the rank of Sergeant or above

Vehicle Pursuit: An active attempt by a police officer in an emergency vehicle to apprehend a motorist who exhibits a clear intention to avoid apprehension by:

- ☐ High-speed driving
- ☐ Evasive tactics, such as making unexpected movements

IV. FORMS

- ☐ Commander's Information Report (CIR)
- ☐ Incident Report

V. PROCEDURES

1. Decision to Pursue

The decision to initiate a pursuit must be based on the pursuing officer's conclusion that the immediate danger created by the pursuit is less than the immediate or potential danger to the public if the suspect remains at large.

Good judgment in weighing these risks is essential. The seriousness of the offense involved does not lessen the officer's liability and duty to fellow officers. Officers must drive with due regard for the safety of all persons.

The decision to initiate or continue a pursuit can only be justified by the facts or information known at the time. Facts unknown to those involved, no matter how compelling, cannot be considered later in determining whether the pursuit was justified under this policy.

At the immediate initiation of any pursuit, all involved officers so equipped will immediately activate their in-car and/or body worn cameras.

The decision to initiate a vehicle pursuit shall be at the discretion of the individual officer in accordance with the stated requirements in **Section I. POLICY** above.

Proximity Factors Affecting the Decision to Pursue

The decision to initiate a pursuit shall be predicated on one of the following proximity factors:

- ☐ The crime or incident occurred or was initiated from within the jurisdiction of the Town of Cheverly.
- ☐ The pursuit entered the jurisdiction of the Town of Cheverly, requiring the assistance of the Cheverly Police Department.
- ☐ The pursuit was in close proximity to the Town of Cheverly and there was a general request for

assistance from the pursuing agency or the Prince George's County, Public Safety Communications (PSC).

Traffic and Environmental Factors Affecting the Decision to Pursue or Continue Pursuit

In addition to proximity, the following traffic and environmental factors shall be considered in the decision to pursue or as to the continuance of pursuit:

- ☐ Type and speed of vehicle being pursued
- ☐ Performance capabilities of the pursuit vehicle
- ☐ Traffic conditions
- ☐ Amount of pedestrian traffic in the area
- ☐ Weather conditions and condition of the road surface
- ☐ Characteristics of the roadway and the officer's familiarity with the roadway
- ☐ Pursuit location, such as a busy business district or a heavily populated residential neighborhood
- ☐ Time of day or night
- ☐ Serious nature of the offense
- ☐ Known circumstances that could lead to a situation in which the pursuing officer might lose control of the police vehicle
- ☐ Whether the identity of the offender is known

Occasionally, motorists do not react normally to police presence due to physical or mental impairments, including but not limited to, driving while intoxicated or under the influence of alcohol or drugs and certain medical conditions. Such persons may not stop upon observing a police signal. Following a motorist in such situations is not a vehicle pursuit.

The officer may only follow the motorist if the motorist obeys all traffic laws (excluding failing to stop). Once the motorist attempts to elude the officer by violating traffic laws, the officer shall cease any further attempts to stop the motorist, unless the criteria for an authorized vehicle pursuit exists.

Closing in and stopping a motorist that is not attempting to flee and stops on police signal is not a vehicle pursuit.

2. Pursuit Driver's Responsibilities

(Transportation Article 21-405)

Under no circumstances will officers pursue at a speed so great as to render their vehicles uncontrollable, thereby endangering the lives of themselves or others.

Officers participating in a vehicle pursuit shall not proceed through intersections or against the direction of traffic signals or traffic control devices without first slowing or stopping. They shall ensure that they are in a clear position to see that no vehicles or pedestrians will be encountered.

Emergency Equipment

No Departmental vehicle shall be used to initiate or participate in any vehicle pursuit unless it is equipped with emergency lights and siren. Emergency lights and siren shall be used throughout the pursuit. If more than one officer is involved in a pursuit, they should use different siren tones from each other.

In addition to emergency lights and siren, officers driving unmarked Departmental vehicles involved in pursuits shall use high beam or flashing headlights throughout their involvement.

To diminish the likelihood of a pursuit, officers intending to stop a vehicle will attempt to be close to the suspect vehicle before activating emergency signal devices.

3. Supervisor's Duties

Upon notification of a pursuit, a supervisor shall:

- ☐ Acknowledge via the radio that they are monitoring the pursuit
- ☐ Authorize or prohibit the continuation of the pursuit after obtaining all relevant information such as:
 - Seriousness of the offense that led to the pursuit
 - Reasonable expectation that the suspect(s) can be later identified for apprehension
 - Whether the suspect(s) would be of further danger to the community
- ☐ Ensure that affected agencies are notified

- ☐ Determine the number of secondary pursuit units needed by considering:
 - Manpower needed to safely affect the arrest
 - Number of suspects in the vehicle
 - Possession and types of weapons
 - Requests by pursuit units for additional units
 - Violence exhibited by the suspect(s)
- ☐ Determine the need for aerial support and advise PSC
- ☐ Ensure only the authorized units are involved in the pursuit
- ☐ Ensure the pursuit is conducted within Departmental guidelines
- ☐ If applicable, ensure the guidelines established in **section 15. Vehicle/Foot Pursuits Into The Town From Other Jurisdictions** below are also followed
- ☐ Monitor and continuously assess the progress of the pursuit
- ☐ Consider the following factors in determining whether the pursuit will continue:
 - Speed, road, weather conditions, and hour of the day
 - Pedestrian and vehicular traffic

The supervisor shall assert control of the pursuit by:

- ☐ Monitoring and directing specific units into or out of the pursuit
- ☐ Re-designating primary, secondary, or other back-up unit responsibilities
- ☐ Approving or ordering alternative tactics
- ☐ Terminating the pursuit in accordance with Departmental policy

The supervisor that approves a pursuit shall be responsible for the entire pursuit until its conclusion. The supervisor approving the pursuit shall be responsible for completing all reports associated with the pursuit.

In the absence of a CPD supervisor, a PGPD (only) supervisor may be consulted because the CPD and PGPD maintain almost duplicate pursuit policies. The approval of a PGPD supervisor to continue

pursuit does not alleviate the involved CPD officer from following the dictates of this General Order.

4. Pursuit Procedures Outside Prince George's County & Across State Lines

Officers and supervisors shall critically evaluate the necessity of pursuing outside Prince George's County or the State of Maryland. They must be aware that officers will be less familiar with roadways, traffic conditions, and other hazards, and that radio reception will be less reliable.

Officers and supervisors shall be cognizant of the provisions in this section, and of **section 11. Termination of Pursuit** below, when evaluating the propriety of continuing the pursuit into a neighboring Maryland County, the District of Columbia, or Virginia.

In non-felony situations, officers will transmit a description of the suspect and the vehicle, the charges, and the direction of travel to Public Safety Communications (PSC). PSC will immediately relay the information to the police jurisdiction involved.

No more than two vehicles shall be involved in a pursuit into a neighboring Maryland County, the District of Columbia, or Virginia, unless authorized by a supervisor. Officers shall notify the dispatcher of their intention to leave Prince George's County or the State. PSC dispatchers shall notify the entered jurisdiction's police agency and keep them informed of the pursuit's status. Dispatchers shall notify the approving supervisor of the entered jurisdiction's involvement in the vehicle pursuit.

Pursuit units leaving the County or State will become secondary units when the neighboring jurisdiction enters the pursuit. Pursuits will be terminated as sufficient units of the entered jurisdiction join the pursuit.

Termination of the pursuit should be considered when officers of the entered jurisdiction are not available to take over the pursuit.

If officers of the entered jurisdiction successfully stop the suspect, the approving supervisor will direct necessary officers to respond to that location in a non-priority status.

If apprehension is made by CPD police officers in a neighboring Maryland County, officers may affect an arrest and return the suspect to the Town without further legal process. However, if an officer of the neighboring jurisdiction requests that the suspect be processed at the neighboring jurisdiction's facilities before return, the arresting officer shall comply.

5. Radio Transmissions During Pursuit

Following evaluation of the circumstances and initiation of a vehicle pursuit, officers shall broadcast the following on "A" mode:

- ☐ Advise the dispatcher of the pursuit. The dispatcher shall immediately notify the sector supervisor and request authorization for the continuation of the pursuit
- ☐ Location/direction of travel
- ☐ Vehicle license number (including state), color, make, and model
- ☐ Probable cause for pursuit, including any other laws violated
- ☐ Information regarding number of occupants and weapons involved, if known

Failure to transmit the above information as soon as possible may be cause for a supervisor to terminate the pursuit.

The primary pursuit officer shall maintain a clear narrative of the pursuit, providing speed and location to the dispatcher. They shall broadcast compass direction, hundred block numbers, and cross streets as necessary to describe the progress of the pursuit.

When officers become involved in vehicle pursuits as secondary units, they shall notify the dispatcher and limit radio transmissions to those essential to the pursuit or to acknowledge an inquiry. In certain cases, they may handle communications for the primary unit. Other back-up units will not advise their location or other information unless deemed necessary for apprehension efforts.

6. Uses & Restrictions for Certain Departmental Vehicles

An unmarked Departmental vehicle may be the

primary pursuit unit, but only if equipped with emergency lights and siren.

Officers operating Departmental two-wheeled vehicles shall not engage in a vehicle pursuit, unless their lack of involvement poses a significant threat to the safety of the public or other officers.

The above-listed vehicles may pursue until a marked cruiser assumes the primary pursuit role, after which they will become secondary units. Officers driving specialized vehicles will cease active pursuit when sufficient marked cruisers become secondary units.

Unmarked or marked Departmental vehicles that are not equipped with lights and siren shall not engage in pursuits.

Departmental vehicles occupied by civilians will not be used in pursuits unless the situation mandates an immediate pursuit and the circumstances prevent disembarking passengers.

7. Prince George's County PSC Responsibilities

PSC dispatchers shall provide all practical assistance to officers involved in a vehicle pursuit in accordance with the PSC Standard Operating Procedures.

The dispatcher shall immediately notify a CPD supervisor and request authorization for the continuation of any vehicle pursuit. If a CPD supervisor is not available, a PGPD supervisor shall be consulted. While the CPD officer is not under the command of a PGPD supervisory officer, the CPD officer should strongly consider the PGPD supervisory officer's opinion before continuing the pursuit especially if the PGPD supervisory officer's opinion was for termination of the pursuit.

When pursuits involve officers from more than one agency, PSC shall coordinate the appropriate channel to broadcast the pursuit.

8. Pursuit Tactics

Except for supervisory approval, no more than one primary and one secondary unit will participate in any vehicle pursuit. Any pursuit unit may request a

CPD supervisor to approve the use of additional units if the supervisor believes such assistance is necessary. Additional units shall be limited to the assistance needed for officer safety.

All units in pursuits, including the primary pursuit unit, shall space themselves at a distance that will ensure adequate reaction and braking time in the event any leading vehicle stops, slows, or turns.

Officers and supervisors involved in a vehicle pursuit must continually assess the pursuit and consider alternatives. Alternative strategies may include, but are not limited to, tire deflation, aircraft observation, and termination of the pursuit.

9. Aviation Assistance

Once a CPD supervisor has determined the need for aerial support, the supervisor will relay this request to PSC.

When an aviation unit arrives and direct radio contact is established with PSC, it becomes the primary pursuit unit. The primary pursuit ground unit and the secondary ground unit shall then restrict radio communications, decrease speed, and follow at a safe distance.

Aviation units will be given radio priority to relay speed, direction of travel, potential hazards, and possible apprehension sites to patrol units and supervisors.

When the patrol supervisor determines the ground pursuit is to be terminated, the supervisor shall notify the aviation unit to:

- ☐ Continue observation of the suspect vehicle, or
- ☐ Abandon further efforts

The decision to terminate aviation unit assistance is the CPD supervisor's responsibility and will be dictated by the circumstances.

When a ground pursuit is terminated and continued assistance is requested from an aviation unit, the observer will continue to broadcast the direction of travel and other pertinent information. Uniformed patrol units will proceed in a non-emergency mode. They shall parallel the movement of the suspect vehicle, and position themselves for apprehension once the vehicle has stopped.

When necessary, the aviation unit will assist in establishing a perimeter and maintain observation until the suspect has been apprehended or a supervisor verifies that the perimeter has been secured.

The use of the searchlight or the forward looking infrared detector (FLIR) will be at the observer's discretion.

10. Prohibited Tactics

The following pursuit tactics are prohibited:

- ☐ Deliberate contact between vehicles
- ☐ Forcing the pursued vehicle into parked cars, ditches, or any other obstacle
- ☐ Pulling up alongside the pursued vehicle while it is in motion
- ☐ Caravanning: the following and direct participation in a pursuit by Departmental vehicles other than the primary pursuit unit and secondary pursuit units
- ☐ Passing: there shall be no attempt by officers to pass the primary pursuit unit unless the passing officer receives specific permission from the primary pursuing officer or a supervisor. Primary and secondary units shall not drive parallel to each other during a pursuit, except during an authorized pass
- ☐ Heading Off (Forced Stopping): maneuvering a Departmental vehicle into the path of the pursued vehicle in an attempt to force it to stop
- ☐ Roadblock: any method of restriction (including partial restriction) or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to affect the apprehension of an actual or suspected violator in a motor vehicle
- ☐ Boxing In (Rolling Roadblock): a deliberate technique by two or more Departmental vehicles to force a pursued vehicle in a specific direction, or to force a pursued vehicle to stop or reduce speed by the maneuvering of Departmental vehicles in front of, behind, or beside a pursued vehicle

11. Termination of Pursuit

All involved officers and supervisors have a

responsibility to closely monitor the progress of each pursuit. Officers and supervisors must constantly weigh the need for apprehension against the dangers created by the pursuit.

When approving supervisor orders termination of a pursuit, all pursuing officers shall do so immediately and verbally acknowledge the termination via the radio.

The officer or supervisor shall immediately terminate the vehicle pursuit when:

- ☐ Further pursuit will be futile
- ☐ There is an equipment failure involving:
 - An emergency signal device
 - A radio
 - The brakes
 - The steering
 - Other essential mechanical equipment
 - Damage to a Departmental vehicle which creates a driving hazard
- ☐ When the pursuit causes a clear and unreasonable danger to the officer, fleeing motorist, or other persons and the danger is greater than the value of apprehending the suspect
- ☐ A clear danger exists when speeds dangerously exceed the normal flow of traffic, or when vehicular or pedestrian traffic necessitates dangerous maneuvering that exceeds the performance capabilities of the vehicle or driver
- ☐ The pursuing officer(s) believes the fleeing vehicle is being operated by an individual who is driving in such an unsafe manner that it is obvious that they do not have the physical or mental capabilities to deal with the dangers involved

12. Apprehension

Safety is critical when the suspect's vehicle is stopped. Therefore, officers shall maintain self-control and strict operational discipline consistent with their training and officer safety practices. Officers should maintain cover and concealment and use safe arrest methods.

13. Assisting Other Agencies with Pursuits

These incidents will be handled in accordance with provisions of **section I. POLICY** above, and **section 15. Vehicle/Foot Pursuits Into The Town from Other Jurisdictions** below. Officers and supervisors will also consider the factors in **section 11. Termination of Pursuit** above, when evaluating the necessity of participating in pursuits initiated by other agencies.

14. Post-Pursuit Requirements

As soon as possible but before the end of the current shift, the officer that initiated the pursuit will document all actions on a CIR. The CIR will:

- ☐ List all CPD units involved in the pursuit;
- ☐ The name and ID of the supervisor on the scene or subsequently notified;
- ☐ All substantive information as to the reason(s) for the initial pursuit and why it was terminated, if so;
- ☐ Whether an apprehension was made;
- ☐ Whether the pursuit resulted in a departmental accident(s); and,
- ☐ Whether there was any use of force involved.

This CIR will serve as the basis for the post-pursuit critique.

Post-Pursuit Critique

The evaluation of officer performance and feedback are essential to maintaining and improving the way officers perform their duties. Pursuit reviews are also used to ensure compliance with Departmental policy and procedures. To accomplish this, each pursuit will be critiqued. Points to consider include areas:

- ☐ Tactical considerations;
- ☐ Training/safety considerations;
- ☐ Possible alternatives to pursuit;
- ☐ Adequacy of Departmental policy on vehicular pursuit;
- ☐ Adherence to Departmental policy; and,
- ☐ Proper use of the in-car or body worn cameras.

A critique meeting shall be conducted by a supervisor with all involved officers and supervisors in a pursuit. The supervisor will

summarize this meeting and present findings to the Chief of Police.

15. Vehicle/Foot Pursuits into the Town from Other Jurisdictions

When officers from other jurisdictions pursue a suspect into the Town of Cheverly, CPD officers will only join the pursuit if:

- ☐ The pursuing jurisdiction notifies the Department of the offense for which the suspect is wanted
- ☐ The offense meets criteria for pursuits within the boundaries of the Town as specified in **section I. POLICY**, above

If these guidelines are met, the Department shall assist officers from other jurisdictions that enter the Town in fresh pursuit of a suspect. Assistance includes, but is not limited to, transporting prisoners, investigative support, evidence processing, and providing equipment.

Officers and supervisors will also consider the factors in **section 11. Termination of Pursuit** above, when evaluating the necessity of participating in pursuits initiated by other agencies.

The agency initiating the pursuit is responsible for the arrest and coordination of all reports, citations, and criminal charges.

Confirmation of Probable Cause

CPD officers are not required to confirm probable cause or examine all facts of a case before rendering general assistance to officers from other jurisdictions. They shall initially rely upon a good faith expectation that the other officer is acting properly unless circumstances suggest otherwise.

Before any CPD officer transports a prisoner, accepts custody of a prisoner, or makes an arrest, the facts of the case shall be examined and the probable cause confirmed by a supervisor.

If the supervisor doubts the probable cause or finds the outside officer's actions improper, the supervisor shall ensure that no transfer of prisoner custody occurs and that the prisoner is not transported by a CPD officer. Obtaining an

alternative means of transport is the outside officer's responsibility.

If probable cause is judged insufficient or the outside officer's actions are deemed improper, the outside officer shall be allowed the use of Departmental facilities or processing equipment to expedite the prisoner's presentment to a commissioner.

16. Arrests Emanating from Pursuits into the County

When a CPD officer assists an officer from another State or the District of Columbia with a fresh pursuit arrest, the CPD officer shall request a supervisor to respond to the scene.

The supervisor shall interview the officer from the outside State or the District of Columbia to determine whether the suspect committed a crime in the County.

Pursuits with Crimes Committed in the County

If the supervisor determines a crime has been committed in the Town they shall assign a CPD officer to charge the suspect.

All reports shall be titled with the appropriate criminal violation, such as "THEFT," "TRAFFIC ARREST," etc. and "FRESH PURSUIT INCIDENT."

If the outside agency is MPDC, the supervisor shall determine if MPDC officer intends to file charges for crimes occurring in the District of Columbia.

The supervisor shall advise the MPDC officer that if the suspect is to be held for the crimes committed in the District, a teletype message must be sent to the PGPD teletype section authorizing the federal removal. This allows Prince George's County DOC to hold the suspect once they have been charged for the crimes committed in the Town. A copy of the official teletype shall be given to a DOC officer working at the Regional Processing Center where the suspect is processed.

If the officer is from an outside state the supervisor shall determine if the officer plans to file charges in their home jurisdiction.

The supervisor shall advise the out-of-state officer that if that if the suspect is to be held for crimes committed in their jurisdiction, a teletype message must be sent to the PGPD teletype section stating the suspect will be extradited for a warrant issued in that state. This allows DOC to hold the suspect once they have been charged for the crimes committed in the Town. A copy of the official teletype shall be given to a DOC officer at the Regional Processing Center where the suspect is processed.

Pursuits For Crimes Not Committed in the Town

If the officer is from MPDC, a CPD supervisor will interview the MPDC officer to determine if criminal charges are going to be pursued for felonies committed in the District of Columbia.

Before accepting custody, the supervisor shall ensure:

- ☐ The MPDC officer on the scene contacts the U.S. Attorney's Office to request that a federal removal be authorized
- ☐ That an initial teletype message is sent to the PGPD teletype section. This initial teletype authorizes detention of the suspect until the official teletype authorizing the federal removal is received. The initial teletype must contain:
 - The name of the authorizing U.S. Attorney
 - The name, DOB, sex, and race of the suspect
 - A notation that an official teletype authorizing FEDERAL REMOVAL will be forthcoming

The PGPD Teletype Section shall fax the initial teletype to the Regional Processing Facility in Upper Marlboro. A CPD officer shall then transport the suspect to DOC, Upper Marlboro and transfer custody to DOC pending federal removal to the District of Columbia. Upon receiving the official teletype, the PGPD Teletype Section shall fax a copy to DOC, Upper Marlboro.

The MPDC officer may return to the District of Columbia to complete the necessary paperwork for the issuance of a federal removal.

If an initial teletype is not received within a reasonable amount of time, the CPD supervisor shall notify the MPDC officer that the suspect will be released. The decision to release the suspect may be based upon available manpower, seriousness of the crime, and calls for service.

If the officer is from another state, a CPD supervisor will interview the officer to determine if criminal charges are going to be pursued for felonies committed in their jurisdiction. Based on their interview, the supervisor shall determine if there are reasonable grounds to believe a felony occurred in the out-of-state officer's jurisdiction.

If the supervisor believes there are reasonable grounds; he or she shall assign an officer to transport the suspect to DOC, Upper Marlboro. The officer shall remain until the PGPD Teletype Section has faxed the teletype from out-of-state officer's jurisdiction that authorizes extradition.

The out-of-state officer may return to their jurisdiction to complete the necessary paperwork for the issuance of the extradition.

If the teletype is not received within a reasonable amount of time, the CPD officer shall notify his supervisor that the teletype has not been sent. The supervisor shall contact the out-of-state officer to determine whether the suspect will continue to be held. The decision to release the suspect may be based upon available manpower, seriousness of the crime, and calls for service.

In each instance the CPD officer shall complete an Incident Report and place "34" in the SPECIAL STUDIES block. The report shall be titled, "FRESH PURSUIT INCIDENT," and shall include the following:

- ☐ The out-of-state or MPDC officer's name, I.D. number, and agency phone number
- ☐ Names, addresses, and phone numbers of all victims, witnesses, and suspects
- ☐ Description of the actions of the out-of-state or MPDC officer and the assistance of the CPD officers, indicating whether any transfer of the prisoner custody occurred

A Commander's Information Report shall also be

completed in all MPDC fresh pursuit actions.

CPD officers that assist outside officers with fresh pursuit actions shall request that the outside officer or agency forward copies of the other agency's incident reports and arrest reports to the CPD.

Federal Agencies

Supervisors shall respond to fresh pursuits into the Town involving federal agencies. The supervisor will confer with the ranking federal officer on the scene to determine appropriate jurisdictional and charging protocol. The supervisor shall ensure that a Commander's Information Report is completed detailing the incident.

VI. GOVERNING LEGISLATION & REFERENCE

Governing Legislation:

- ☐ Transportation Article, Sections 21-106 & 21-405
- ☐ United State's Code 28USC 1446

RADIO PROCEDURES**I. POLICY**

Employees will adhere to Federal Communications Commission (FCC) regulations. False calls or distress signals, superfluous or unidentified communications, obscene or profane language, or the transmission of unassigned radio unit numbers are prohibited.

Transmissions on police radios shall be restricted to official Departmental business.

II. CHECKLIST (N/A)**III. DEFINITIONS**

A Zone: Primary zone controlled by PSC and used to dispatch calls for service. The main zone used by PGPD district stations and municipalities

B Zone: Zone used by district stations and municipalities for tactical communication

C Zone: Used by district stations and municipalities for coordinated operations with an OIC

Major Incident (MI) Zone: Zone used for major incidents and controlled by PSC

Special Events Zone: Zone used for special events and controlled by PSC

Talkgroup: A virtual radio channel that is the primary means of communications (formerly known as a channel)

Zone: Organized collection of talkgroups

IV. FORMS (N/A)**V. PROCEDURES**

While officers are on duty, they shall monitor the appropriate PGPD PSC zone at all times.

While officers are on duty and in a patrol vehicle, the town radio shall be monitored at all times.

Communications response shall be verbally acknowledged.

When transmitting, employees shall:

- ☐ Be clear and concise
- ☐ Minimize background noise
- ☐ Use unit names or ID numbers instead of names.

Confidential or sensitive information shall not be transmitted unless immediate communication is essential for the successful resolution of a situation.

Employees will secure permission from the dispatcher to transmit on SE Zone or MI Zone.

Rules for alternative talkgroup use are the same as normal transmissions. Transmissions will be limited to those necessary to accomplish the assignment.

Unless authorized by the PSC through a CPD supervisor, officers must remain on the A Zone talkgroup. Any on-duty officer shall notify PSC prior to leaving A Zone.

B Zone

B Zone shall be used for car-to-car operational communications. B Zone may be used for short-term tactical operations. Officers will notify PSC before using B Zone.

C Zone

C Zone will be used for extended tactical operations. PSC through an on-duty CPD supervisor will coordinate extended operations on the C Zone.

C Zone for PGPD specialty units, such as SOD, will be their unit zone.

Other Zones

Officers will not use other zones unless:

- ☐ They are assigned to an operation the zone is assigned to
- ☐ It is an operational necessity

1. Entering Line-Ups

Prior to field units beginning the watch, the unit rosters will be logged into a CAD terminal.

The following minimum information will be entered for each squad:

- ☐ Call sign
- ☐ Officer ID number
- ☐ Cruiser number
- ☐ Beat assignments, if different from call sign
- ☐ Court or special assignments
- ☐ Leave

2. Emergency Procedure — Radio Failure***Failsoft***

Failsoft is a condition that occurs when there is a radio system failure and the radio stops operating in a trunking mode.

To prevent a condition that stops all communication, the system enters Failsoft. In the failsoft mode, all transmitters (channels) turn on and operate in a conventional repeater mode. The radios will automatically switch to a predetermined frequency. The operator should be able to communicate with dispatch via one of the primary dispatch channels.

Failsoft is highly unlikely, but periodic testing may be conducted by PSC.

3. Emergency Calls – Signal 13

When the emergency call button is activated PSC will receive an alert tone and the officer identification. The microphone of the portable radio used to declare the emergency will remain open for ten (10) seconds.

4. Officer's Responsibilities

Officers shall:

- ☐ Keep the dispatcher informed of their status at all times
- ☐ Advise the dispatcher when responding to or present at the scene of an incident

- ☐ Clear all assignments through PSC as quickly as practical
- ☐ When a call alert page is received, respond to the PSC on the talkgroup that he or she was paged from
- ☐ Notify the PSC Supervisor immediately when the police radio is lost or stolen
- ☐ Monitor the talkgroup in the area they are located when off-duty

Officers shall not:

- ☐ Make any alterations to the police radio. If alterations are needed she or shall notify the Department's radio vendor
- ☐ Transmit on talkgroups 8D9 or 8F4 unless authorized to do so by PGPS SOD or a PGPD Commander. These talkgroups are reserved for SOD tactical operations.

5. Cancellation of Units Responding to an Incident

Only supervisors may delay or cancel an assignment, change a response code, or reassign units under their command. Calls for service that have been delayed by a supervisor must be reassigned by him or her. In doing so, the supervisor assumes responsibility for the decision.

Officers may cancel backup units after arriving on the scene.

6. Clearing Calls for Service

When an officer clears a call, he or she shall give the appropriate CAD clearance code followed by his or her ID number. If a report is written, the ID number of the officer responsible for writing the report shall be given.

7. Communications with Other Jurisdictions and Agencies

When an officer communicates with another jurisdiction, he or she shall:

- ☐ Use plain English (no 10- or signal codes)
- ☐ Identify themselves as Cheverly Police and then their ID or car number
- ☐ Keep communications brief and clear

Off-Duty

Off-duty officers traveling outside the Town shall communicate with other jurisdictions or agencies only when they come upon an incident that would require a 911 call.

On-Duty

On-duty officers shall not communicate with other jurisdictions or agencies unless operationally necessary or supervisor permission has been obtained.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- ☐ Commission on Accreditation for Law Enforcement Agencies, Standards 26.1.1, 81.1.2, 81.2.5, 81.2.6, 81.3.1

Reference:

- ☐ Prince George's County Police Department Radio Call Sign Assignment List

CODES

10-1	Receiving poorly
10-2	Receiving well
10-3	Emergency transmissions only
10-4	Acknowledgement
10-5	Transport
10-6	Busy
10-7	Out of service or end of watch
10-8	Available
10-9	Repeat message
10-10	On assignment but available
10-11	Transmitting too rapidly
10-12	How many units available in this sector?
10-13	Advise weather conditions
10-14	Escort
10-15	Prisoner aboard
10-20	What is your location?
10-21	Any messages or assignments for me?
10-22	Cancel request/response
10-27	Any response to my request ?
10-29	Wanted check
10-30	Does not conform to regulations
10-34	Lookout information
10-35	Confidential information or warrant hit
10-35R	Violent repeat offender information
10-36	Correct time
10-37	Identify personnel
10-40	Telephone number
10-41	No messages or assignments for you
10-42	Driver's license status
10-78	Request routine backup unit
10-86	Call your home
10-97	How do you copy this unit?

SIGNALS

Sig. 1	Call your district
Sig. 1I	Call your district immediately
Sig. 3	Go to your district
Sig. 3I	Go to your district immediately
Sig. 4	See complainant in person
Sig. 5	Investigate vehicle (unoccupied)
Sig. 6	Investigate vehicle (occupied)
Sig. 6I	Drunk driver
Sig. 7	Suspicious subject
Sig. 7A	Suspicious subject (armed)
Sig. 8	Registration information and stolen check on vehicle

Sig. 9	Traffic accident
Sig. 9A	Traffic accident, no report
Sig. 9I	Traffic accident with injury
Sig. 9F	Traffic accident with fatality
Sig. 11	Traffic accident, hit and run
Sig. 11I	Traffic accident, hit and run with injury
Sig. 11F	Traffic accident, hit and run with fatality
Sig. 13	Officer in trouble
Sig. 15	Fight
Sig. 18	Premise check
Sig. 20	Assist Fire Dep't
Sig. 22	Unknown trouble
Sig. 25	Animal complaint
Sig. 25B	Animal Bite Report
Sig. 25I	Injured animal
Sig. 25F	Dead animal
Sig. 26	Routine patrol suspended
Sig. 44	Bomb scare
Sig. 46	Motorcycles
Sig. 50	Cross-burning
Sig. 60	Assault
Sig. 61	Vandalism
Sig. 62	Breaking & entering
Sig. 63	Theft
Sig. 63A	Theft from auto
Sig. 64	Homicide
Sig. 65	Sex crime
Sig. 66	Suicide
Sig. 68	Disorderly persons
Sig. 69	Loud party
Sig. 70	Drunk
Sig. 71	Domestic
Sig. 73	Disorderly juveniles
Sig. 75	Camera
Sig. 76	Traffic control
Sig. 76M	Assist motorist
Sig. 78	Burglar Alarm
Sig. 81	Death report
Sig. 82	Meet officer
Sig. 83	Notification
Sig. 84	Hold-up (state if in progress)
Sig. 85	Kidnapping
Sig. 86	Breaking & Entering in process
Sig. 88	Departmental paperwork
Sig. 89	Recovered property
Sig. 90	Alcohol/Drug-induced psychosis
Sig. 91	Refueling vehicle
Sig. 98	Out of patrol area
Sig. 99	Out of service for meal
Sig. 100	Mentally disordered individual or EPS

CALL CLEARANCE CODE MATRIX

Type of Incident	No Response	No Report	Report	Arrest	Warrant Hit
Accident	018	309	509	709	909
Accident with Impound	018		509I	709I	
Alarm, Residential	178R	378R	578R		
Alarm, Commercial	178C	378C	578C		
Alarm, School	178S	378S	578S		
Alarm, Vehicle	178V	378V	578V		
Area Check	018	318			
Area Check, Drug Related	018	318D			
Assault	018	360	560	760	
Assault, Alcohol Related	018	360A	560A	760A	
Assault, Drug Related	018	360D	560D	760D	
Assault, Weapon	018	360W	560W	760W	
Assault, Shooting	018		560X	760X	
Assault, Shooting Drug Related	018		560Y	760Y	
Auto, Impound	018		505I	705I	
Auto, Attempt Theft	018		505A	705A	
Auto, Stolen	018		505S		
Auto, Stolen & Recovered	018		505B	705B	
Auto, Recovered	018		505R	705R	
B & E, Commercial	018		562C	762C	
B & E, Other	018		562O	762O	
B & E, Residential	018		562R	762R	
Domestic	018	371	571	771	971
Domestic, Alcohol	018	371A	571A	771A	
Domestic, Drug Related	018	371D	571D	771D	
Domestic, Weapon	018	371W	571W	771W	
EPS	018		500M		
Field Observation	018		507	707	907
Field Observation, Drug Related	018		507D	707D	
Juvenile	018	373	573	773	900
Juvenile, Drug Related	018		573D	773D	
Other	018	300	500	700	900
Other with Impound	018		500I	700I	900I
Other Citations-Criminal/Civil	018		500		
Robbery, Commercial	018		584C	784C	
Robbery, Other	018		584O	784O	
Robbery, Residential	018		584R	784R	
Sex Offense	018		565	765	
Theft	018		563	763	
Theft from Auto	018		563V	763V	
Traffic, No Ticket	018	376			
Traffic with Ticket	018		576		
Traffic, DWI Arrest	018			776	
Traffic with Warrant	018				976
Traffic with Impound	018		576I	776I	976I
Traffic w/ Watch Your Car	018	376D	576D		

- **100** may be used when officers arrive on the scene of a call and nothing is found.

BLANK**I. POLICY****II. CHECKLIST (N/A)****III. DEFINITIONS****IV. FORMS****V. PROCEDURES****VI. GOVERNING LEGISLATION &
REFERENCE**

Governing Legislation:

Reference:

STAFF MEETINGS**I. POLICY**

Staff meetings shall be held periodically, but no less than bi-monthly. Aside from inter-office memoranda and individual officer or small group counseling, staff meetings serve to enhance departmental communication and foster an understanding of departmental policies and programs.

II. CHECKLIST (N/A)**III. DEFINITIONS (N/A)****IV. FORMS (N/A)****V. PROCEDURES****1. Supervisor's Duties**

Supervisors shall ensure appropriate materials are readied for staff meetings and that research on operational questions has been conducted and the resultant information approved by the Chief of Police.

During staff meetings, supervisors shall:

- ☐ Notify officers of current crime statistics, trends, and accumulative lookout information
- ☐ Discuss specific problems within the CPD and identify issues that need clearer understanding
- ☐ Announce upcoming enforcement priorities or personnel distributions
- ☐ Distribute relevant information, such as:
 - Departmental policy decisions or revisions to previous information
 - Information regarding other law enforcement operations in the area
 - Legal updates and court rulings of consequence

Provide continued training through:

- ☐ Review of General Orders
- ☐ Critique of specific police incidents
- ☐ Provide other county, state, and federal law enforcement representatives with the

- ☐ opportunity to speak
- ☐ Conduct training on different topics, such as Department procedures, officer safety, legal and liability issues, or view videotapes or other recordings relevant to training

Supervisors should use staff meetings to conduct required personnel, equipment, and vehicles inspections to ensure compliance with Departmental regulations. *See: VOL. I, CH. 22. PERSONNEL INSPECTIONS*

VI. GOVERNING LEGISLATION & REFERENCE

SCHOOL INCIDENTS**I. POLICY**

Officers shall respond to school property to suppress crime or disorder and take reports. This Department shares concurrent jurisdiction with the PGPD for public schools and school properties within Town boundaries and primary jurisdiction for non-public schools within the Town.

II. CHECKLIST (N/A)**III. DEFINITIONS (N/A)****IV. FORMS (N/A)****V. PROCEDURES**

General patrol activities of school properties are the responsibility of the patrol officer. Officers should periodically patrol school properties and the communities in which the school is located for truants, gangs, disorderly subjects and unusual traffic.

School security officials have jurisdiction on school grounds and school buses. All other complaints will be handled by a law enforcement agency with jurisdiction.

In accordance with Prince George's County Public Schools policy, school officials will report the following crimes to the Department:

- ☐ All felonies
- ☐ Narcotics violations
- ☐ Serious assaults
- ☐ Property crimes with losses in excess of \$50.00
- ☐ Searches disclosing contraband or the fruits or implements of a crime

1. School Security Responsibilities

Prince George's County, School Security is responsible for the following:

- ☐ Investigation of misdemeanors occurring on school property, unless such a case results in an extensive investigation in the general community

- ☐ Assisting the Department in developing leads and identifying suspects associated with the school community

2. Responsibility for Criminal Investigation

The CPD is jointly responsible with the PGPD for the investigation and clearance of all felonies. The CPD investigator will coordinate activities with any School Security personnel who may have either responded to the scene or possess information pertinent to the case.

CPD will provide assistance with or assume responsibility for misdemeanor investigations that lead into the Town. Resolution of investigative responsibility in such cases will be determined through the cooperative efforts of the School Security and the affected police unit.

Whenever the school is the complainant or the incident occurs on school property, final case disposition will be forwarded to the School Security. However, such dispositions will not include the identity of arrested or accused juveniles, nor the identity of witnesses or other persons contacted.

3. Questioning on School Premises

Investigative questioning of students on school premises shall only be conducted in cases involving:

- ☐ A crime committed on the premises
- ☐ An investigation in which the safety of students or other persons would be unduly endangered if questioning is delayed

A school official shall be present during such interviews, and shall prohibit routine questioning of a student not under arrest.

Students shall not be removed from school premises merely for the purposes of conducting an investigative interview.

4. Search & Seizure on School Property

Officers possessing a search warrant may search that part of the school premises described in the search warrant.

Investigative searches of school premises by officers shall only be conducted pursuant to a search warrant or when a search is essential to prevent imminent danger to the safety and welfare of a student, another person or school property.

Officers shall make reasonable efforts to conduct searches that minimize embarrassment to students and limit disruption to the school routine.

Officers will only search a student who is under arrest, or if the officer has a reasonable suspicion the student is concealing a weapon. Officers shall not direct a school official to conduct a search of a student. Students' personal possessions, including lockers, will only be searched:

- ☐ After regular class hours
- ☐ During regular class hours with the student present
- ☐ Pursuant to a search warrant
- ☐ To prevent imminent danger to students or others
- ☐ Whenever school officials have substantial proof that a serious offense has been or is being committed

5. Arrests on School Property

When possible, arrests shall be made off school property.

Arrests on school property shall be made in a manner that avoids embarrassment for students, while maximizing officer and student safety.

When an arrest is made on school property during school hours, the officer shall provide a school official with information that will allow the official to notify the parent or guardian regarding the nature of the arrest. The officer shall provide the official with his name, ID number, and the location to which the student was taken.

6. School Disorders

No person other than the principal, his or her assistant; the Director of School Security, his or her designee; or the Superintendent of Schools or his or her designee may request a major deployment of officers to a school.

The ranking officer on the scene, working jointly with the principal and Director, School Security, shall determine the number of officers that respond to the school.

During any crisis, the ranking officers of School Security and the Department will communicate with the principal, and allow him or her to review all actions in advance. Any action taken by School Security or the Department, except during a crisis, should have prior approval of the principal or his or her designee. Once the principal's approval has been given, he or she will not interfere with the operation.

VI. GOVERNING LEGISLATION & REFERENCE

SEX OFFENSES**I. POLICY**

Officers shall respond to all sex offense incidents and deal with victims while balancing the need to secure evidence against the distress the victim may be experiencing.

II. CHECKLIST (N/A)**III. DEFINITIONS (N/A)****IV. FORMS**

- ☐ Incident Report

V. PROCEDURES**1. Officer's Responsibilities**

Officers responding to these incidents shall:

- ☐ Verify the incident
- ☐ Provide medical aid to injured persons
- ☐ Broadcast a lookout, if appropriate
- ☐ Secure the crime scene
- ☐ Notify the PGPD Sexual Assault Unit (SAU) for crimes enumerated in the current MOU between the CPD and PGPD for jurisdictional police services and or the Special Response Team (SRT)
- ☐ Complete an Incident Report, the narrative need not be comprehensive

Officers shall not take investigative action, such as responding to the suspect's home, without prior authorization from the PGPD Sexual Assault Unit investigator or a SRT investigator.

Unless the victim sustains physical injuries requiring immediate medical attention, do not have victim transported to the Sexual Assault Center, Prince George's Hospital Center until authorized by SAU. (The victim may, at their discretion, report to the Prince George's Hospital Center for a sexual assault examination without the prior approval of SAU or involvement of the PGPD or CPD).

In no case shall an officer instruct the victim to contact the Sexual Assault Unit to report the

assault.

2. Victim at Hospital

If the CPD has jurisdiction in the initial report, the reporting officer shall notify the PGPD Sexual Assault Unit. If no PGPD investigator is available, the officer will have PSC contact a PGPD CID investigator via pager. A PGPD investigator shall respond to the hospital. The PGPD investigator shall not request removal of the victim to another location for interviewing.

The reporting officer shall write a statement and complete an Incident Report and shall document the notifications made to SAU on both documents.

3. Police Authorization Not Mandatory for Sexual Assault Exam

A sexual assault victim is not required to participate in the criminal justice system or cooperate with law enforcement in order to be provided a sexual assault exam.

The victim of a sexual assault may request that a sexual assault exam be performed by the Sexual Assault Center, Prince George's Hospital Center, with either CPD or PGPD authorization. The victim is not required to provide their personal information and may remain anonymous. When a victim remains anonymous, his or her sexual assault exam will be referenced by a hospital case number and a CCN. An SAU investigator will provide the hospital with a CCN and take an initial report by telephone or in person.

Evidence collected from anonymous sexual forensic examination will be sent to the PGPD DNA Laboratory and stored for one year for potential forensic analysis in the future.

The victim can request an investigation be pursued at any later date, even if the one-year period has passed and evidence collected during the sexual assault examination has been destroyed.

VI. GOVERNING LEGISLATION & REFERENCE**Reference:**

- ☐ Sexual Offenses Matrix (next page)
- ☐ The Violence Against Women and the Department of Justice Reauthorization Act of 2005, 42 U.S.C., Subsection 3796gg-4(d).
- ☐ For additional details, ***See: VOL. II, CHP. 17. CRIMINAL INVESTIGATIONS, Special Crimes Section.***

SEXUAL OFFENSES MATRIX (*Annotated Code of MD. Criminal Law Articles Sec. 3-303-308*)

ELEMENTS OF RAPE	1. Vaginal intercourse 2. With another person 3. By force or threat of force 4. Against the will 5. Without the consent of the other person
ELEMENTS OF SEXUAL ACT	Cunnilingus, fellatio, analingus, or anal intercourse. Also include placing of any object into the genital or anal opening of another person's body if the penetration can be construed as being for the purpose of sexual arousal or gratification. (EXCLUDES DIGITAL PENETRATION)
ELEMENTS OF SEXUAL CONTACT	The intentional touching of any part of the victim's or actor's anal, genital, or other intimate areas for the purpose of sexual arousal or gratification, or for the abuse of either party, or the insertion of any body part other than the penis, mouth, or tongue into the vaginal or anal opening.
RAPE – 1st Degree FELONY – Life CR 3-303 Investigated by CID	Vaginal intercourse with another person by force or threat of force against the will and without the consent of the other person, and ONE OF THE FOLLOWING: 1. Employs or displays a dangerous and deadly weapon or an item that the victim reasonably believes to be such a weapon; 2. Inflicts suffocation, strangulation, disfigurement, or serious physical injury upon the victim or upon any other person in the course of committing the offense; 3. Threatens or places the victim in fear that the victim or any person known to the victim will be imminently subjected to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; 4. Is added and abetted by one of more other persons; 5. Commits the offense in connection with a burglary in the first, second, or third degree.
RAPE – 2nd Degree FELONY – 20 years CR 3-304 Investigated by CID	Vaginal intercourse with another person ONE OF THE FOLLOWING: 1. By force or threat of force against the will and without the consent of the other person; 2. Who is mentally defective or mentally incapacitated, or physically helpless, and the suspect knows or should reasonably know the victim is mentally defective or mentally defective or mentally incapacitated, or physically helpless; 3. Who is under 14 years of age and the defendant is 4 or more years older than the victim.
SEX OFFENSE – 1st Degree FELONY – Life CR 3-305 Investigated by CID	Sexual act with another person by force or threat of force against the will and without the consent of the other; and ONE OF THE FOLLOWING: 1. Employs or displays a dangerous and deadly weapon or an item that the victim reasonably believes to be such a weapon; 2. Inflicts suffocation, strangulation, disfigurement, or serious physical injury upon the victim or upon any other person in the course of committing the offense; 3. Threatens or places the victim in fear that the victim or any person known to the victim will be imminently subjected to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; 4. Is added and abetted by one of more other persons; 5. Commits the offense in connection with a burglary in the first, second, or third degree.
SEX OFFENSE – 2nd Degree FELONY – 20 years CR 3-306 Investigated by CID	Sexual act with another person ONE OF THE FOLLOWING: 1. By force or threat of force against the will and without the consent of the other person; 2. Who is mentally defective or mentally incapacitated, or physically helpless, and the suspect knows or should reasonably know the victim is mentally defective or mentally defective or mentally incapacitated, or physically helpless; 3. Who is under 14 years of age and the defendant is 4 or more years older than the victim.
SEX OFFENSE – 3rd Degree FELONY – 10 years CR 3-307 Investigated by Special Response Team (SRT)	Sexual contact with another person; and, ONE OF THE FOLLOWING: 1. Against the will and without the consent of the other person, and ONE OF THE FOLLOWING: a. Employs or displays a dangerous and deadly weapon or an item that the victim reasonably believes to be such a weapon; b. Inflicts suffocation, strangulation, disfigurement, or serious physical injury upon the victim or upon any other person in the course of committing the offense; c. Threatens or places the victim in fear that the victim or any person known to the victim will be imminently subjected to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; d. Is aided and abetted by one or more other persons; 2. Who is mentally defective or mentally incapacitated, or physically helpless, and the suspect know or should reasonably know the victim is mentally defective or mentally defective or mentally incapacitated, or physically helpless; 3. Who is under 14 years of age and the defendant is 4 or more years older than the victim; 4. Sexual act or vaginal intercourse with another person who is 14 or 15 years of age and the actor is a least 21 years of age.
SEX OFFENSE – 4th Degree MISDEMEANOR – 1 year CR 3-308 Investigated by SRT	1. Sexual contact with another person against the will and without the consent of the other person; OR 2. Sexual act or vaginal intercourse with a person who is 14 or 15 years of age and the actor is 4 or more years older (but not 21 years of age or older) than the victim.

**SICK, INJURED, OR INTOXICATED
INDIVIDUALS & SHELTERS****I. POLICY**

Employees shall render appropriate assistance to individuals in need according to the provisions of this directive.

II. CHECKLIST (N/A)**III. DEFINITIONS (N/A)****IV. FORMS (N/A)****V. PROCEDURES****1. Sick, Injured, or Intoxicated Individuals**

An officer encountering an unconscious or unresponsive individual shall attempt to wake them and determine whether the person is sick, injured, or intoxicated. Officers shall use extreme caution when doing so, in case the individual is injured.

If the individual is sick or injured and wishes to be transported to a hospital, the officer will request an ambulance through Public Safety Communications (PSC). If the individual refuses transport to a hospital, and the officer determines that the individual is capable of making a rational decision, no ambulance will be called.

If the person is merely intoxicated, the officer may attempt to arrange transport or send the individual home, or to a medical or detoxification facility. This can only be done with the individual's permission.

If the individual is sent to their home or a medical or detoxification facility via commercial or public transportation, the officer will take reasonable steps to ensure that the cost of transportation is paid in advance.

If the person is unresponsive, they will be transported by ambulance to a hospital.

Medic Alert Warnings

When assisting, taking into custody, or

transporting a person believed to be sick or intoxicated, officers will check for a MedicAlert necklace, bracelet, or other device that describes a medical condition. Officers discovering such devices shall take appropriate steps to aid the person according to the information provided. When the officer transfers custody of an individual wearing a Medic-Alert device, the officer shall notify those receiving custody regarding the device.

2. Shelters

The Prince George's County Department of Social Services (DSS) can render assistance to officers that are handling:

- ☐ Child abuse cases
- ☐ Evictions
- ☐ Incidents involving destitute or stranded individuals

Officers may contact DSS during normal business hours, Monday through Friday (0900-1700 hours). During non-business hours, weekends, and holidays, officers may contact DSS through the Crisis Hotline, or PSC. Citizens may be referred to the Department of Social Services for routine matters.

DSS coordinates emergency shelters for the homeless. Some cold season shelters operate from religious institutions on a rotating basis. A coordinating center authorizes the placement of individuals at shelters. Officers should contact PSC for telephone numbers and shelter locations.

Calls for Service at Shelters

The Department shall maintain order and remove individuals from shelters when requested.

**VI. GOVERNING LEGISLATION &
REFERENCE****Governing Legislation:**

STRIKES, PICKETING AND DEMONSTRATIONS**I. POLICY**

Negotiation and collective bargaining are legally recognized methods of peacefully settling labor disputes. In such disputes, it is not the function of the Department to deal with the issues involved, but to protect the rights of the public and the disputants by enforcing the law and maintaining order.

Strikes and picketing are not violations of the law. It is illegal acts that sometimes arise from these activities about which the Department is concerned. The Department's effectiveness is maintained by remaining impartial.

II. CHECKLIST (N/A)**III. DEFINITIONS**

Strike: A job action during which workers refuse to work as a means to improve their working conditions or benefits

Picketing: An action that involves one or more persons gathering to demonstrate their disagreement with an issue

IV. FORMS (N/A)**V. PROCEDURES****1. Strikes & Picketing**

Officers will not usually be deployed at strike scenes. When such deployment becomes necessary, a supervisor will be responsible for deterring crime and keeping the peace.

Enforcement of Laws

The Department seeks to minimize criminal violations connected with labor disputes by providing guidelines for the conduct of the parties. These guidelines shall be discussed with management and labor officials. These officials shall be advised that the use of public sidewalks and roadways, the free access to public places, and the rights of persons to enter and leave private

premises shall be preserved.

In cases where there is a violation of these rights, the Department will take prompt action. Violations of court orders and injunctions do not ordinarily constitute criminal offenses for which the Department will take enforcement action.

2. Demonstrations

Upon arrival at the scene of a demonstration, the officer(s) shall attempt to identify the leader or leaders of the group and immediately request a supervisor. If the leader is located, a supervisor shall communicate with the demonstrators through them. The demonstrators shall be advised regarding the laws governing the free movement of pedestrians and vehicular traffic.

The supervisor shall direct that all violations cease immediately. If they do, no further police action shall be taken.

If the demonstrators do not comply and the supervisor determines that arrests are appropriate, the supervisor shall estimate the number of persons likely to be arrested and notify the Chief of Police. When the on-scene supervisor determines arrests are likely imminent, the supervisor shall request the appropriate assistance, if necessary, through Public Safety Communications (PSC). PSC shall notify the Department of Corrections of the situation so additional central processing and detention facilities can be made available.

Once these notifications have been made, the supervisor shall use a voice amplification system to announce to the crowd the following order:

"I (state your name) of the Cheverly Police Department hereby inform all persons assembled that you are violating (state ordinance or law violated). I order all of you here assembled to disperse. Failure to do so shall subject each of you to arrest and prosecution."

The supervisor shall wait a reasonable length of time for compliance and repeat the order. If the crowd does not disperse after the second announcement, the supervisor/ Patrol Commander shall order the arrest of all remaining persons.

All officers reporting to the scene of a demonstration shall be deployed under the direction of a supervisor. Each supervisor shall be responsible for dividing his or her personnel into appropriate teams. Teams may be rotated or relieved, as necessary, to avoid fatigue.

For processing mass arrests, *See: VOL. II, CH. 4. ARRESTS, TRANSPORT, AND PROCESSING.*

VI. GOVERNING LEGISLATION & REFERENCE

Governing Legislation:

- ☐ Maryland Criminal Law Article 3-904

TRAFFIC LAW ENFORCEMENT**I. POLICY**

The Department is committed to making roadways throughout the Town safer through traffic enforcement. Conspicuous patrol in marked cruisers by uniformed officers is the principal means of promoting good driving by deterring traffic violations.

The Department uses both marked and unmarked vehicles to enforce violations of the Maryland Vehicle Law.

When necessary, enforcement efforts will be targeted at specific times and locations, such as certain stretches of roadways or intersections, which experience a large number of accidents or traffic violations.

Officers shall be alert for traffic violations and traffic complaints that come to their attention and have the discretion to issue verbal or written warnings, citations, and to make arrests. Enforcement action shall be based entirely on the violation, not the personality, race, sex, or ethnicity of the violator.

II. CHECKLIST (N/A)**III. DEFINITIONS**

Authorized Departmental Vehicle: A vehicle equipped with functioning emergency lights and siren

IV. FORMS

- ☐ Commander's Information Report
- ☐ Warning/Field Observation Notice/J2
- ☐ Maryland Safety Equipment Repair Order (SERO) (MSP Form #157)
- ☐ Request for Re-Examination of Driver (MVA Form #AJ-39)
- ☐ Police Summons Notice

V. PROCEDURES

Officers may use any of the following methods to enforce the vehicle law:

- ☐ **Moving patrol**
- ☐ **Overt** (high visibility patrol intended to discourage violations)
- ☐ **Covert** (to identify and apprehend violators)

1. Uniformity of Enforcement

Officers are prohibited from stopping individuals to issue additional citations after the conclusion of the original traffic stop unless:

- ☐ The officer becomes aware of violations that were unknown at the time of the original stop
- ☐ The investigation has not been completed

Examples include, but are not limited to, DUI, fatal or hit-and-run accidents, and cases where the individual provides false information.

Officers shall not threaten to issue additional citations to a citizen in order to persuade him or her not to challenge citations that he or she has already been issued.

2. Multiple Violations

Officers are not limited as to the number of citations, Safety Equipment Repair Orders, or warnings that may be issued to a violator.

Officers will ensure that all citations issued to a single violator are linked using the space at the top of the traffic citation.

Traffic Citations & Criminal Arrests

To establish probable cause in court, officers that make traffic stops that lead to arrests should ensure that the individual is cited for the violation that led to the traffic stop. For example, a driver who commits an unsafe lane change and is subsequently arrested for DUI should be cited for the unsafe lane change. In these situations, officers are encouraged to complete both the arrest paperwork and the traffic citations themselves in order to facilitate the consolidation of charges.

Officers shall ensure that they provide a photocopy of the signed citation(s) to the District Court Commissioner and record the citation number(s) in the top margins of both the Statement of Probable Cause and the Statement of Charges. This will

allow the commissioner to request that the criminal and traffic charges be consolidated into one court date.

3. Legislators

Legislators, including those of the US Congress, Maryland House of Delegates, and elected politicians of Maryland counties and municipalities, are subject to compliance with the Maryland Vehicle Law. No legal or appellate provisions exempt them from prosecution.

4. Diplomats

See: VOL. II, CH. 13. CONTACT WITH DIPLOMATS & ARREST OR DETENTION OF FOREIGN NATIONALS.

5. Speed Measuring Devices

An authorized Departmental vehicle's speedometer may be used to pace vehicles in order to establish a speed violation. Officers who pace a motorist and cite him or her for speeding shall ensure that the speedometer has a current calibration. Speedometer calibrations are valid for 6 months.

The Department also uses a combination of non-moving and moving radar devices in both permanent on non-permanent or hand-held applications. Certifications for all of these devices are maintained by the Department with a copy given to each individual operator.

6. Public Carrier & Commercial Vehicle Code Violations

Officers may seek guidance regarding public carrier and commercial vehicle code violations from the PGPD Collision Analysis and Reconstruction Unit (CARU). CARU has primary responsibility for the enforcement of public carrier and commercial vehicle violations in the County.

7. Traffic Stops

All uniformed officers operating marked Departmental vehicles are responsible for visible traffic patrol to enforce vehicle laws. Plainclothes on-duty officers or off-duty officers operating unmarked Departmental vehicles should refrain

from making traffic stops unless the violation creates a significant hazard. Officers should only make traffic stops when operating Departmental vehicles equipped with functioning emergency lights and siren.

Routine traffic stops outside the Town are prohibited.

Making Traffic Stops

Officers shall ensure that a violation has occurred, unless the stop is investigatory in nature.

Officers shall select a safe location for the stop, such as a parking lot or road shoulder, where violators may wait while being issued citations or warnings. The cruiser shall be positioned behind the violator to provide protection from other motorists. When stopped behind motorists, the officer shall activate his or her vehicle's emergency lights or hazard flashers.

When notifying the dispatcher of the stop, officers shall provide the following information in the below order:

- ☐ Location
- ☐ License plate number and state
- ☐ Make and model of vehicle
- ☐ Color of vehicle
- ☐ Number of occupants

When providing the location, officers shall avoid using common identifiers such as "MD 202 at the CVS." When giving locations for ramps, spurs, or alleyways, officers shall provide a "from-to" location, such as "ramp from Southbound Landover Road onto Eastbound U.S. 50."

Upon contact, the officer shall:

- ☐ Identify himself or herself and greet the violator courteously, using the appropriate title
- ☐ Advise the violator of the reason for the stop
- ☐ Request the violator's driver's license and vehicle registration
- ☐ Avoid debating the merits of the violation, but answer procedural questions concerning the violation
- ☐ Return the violator's license and registration at the conclusion of the stop, unless required as

evidence

8. **Inspecting Vehicle Interior Due to Window Tinting**
(*US v. Stanfield*)

A police officer who lawfully stops a vehicle with windows so heavily tinted that the vehicle's interior is not visible, may open one of the vehicle doors to visually determine if:

- ☐ The driver is armed
- ☐ There are weapons inside
- ☐ Other occupants may pose a danger to the officer

Officers may seize any contraband or evidence they observe in plain view through a lawfully opened door.

9. **Maryland Uniform Complaint & Citation**

Distribution & Accountability of Citations

Citation books shall be stored in the Squad Room or other secure location. Officers shall sign the Uniform Citation Receipt Log for each Citation Book received.

Officers shall not lend, borrow, or share citation books.

Advice to Violator

When issuing citations, officers shall inform the violator whether or not a court appearance is mandatory, the amount of the pre-payable fine indicated on the citation, and the procedures for obtaining a court date. They shall inform the violator that complete information and instructions are printed on the reverse of the defendant's copy of the citation.

When charged with an offense for which the violator is issued a traffic citation, the officer shall advise the violator that:

- ☐ The Maryland vehicle law requires the violator to acknowledge receipt of the citation by signing it
- ☐ Signing the citation is not an admission of guilt, but the violator's promise to fulfill the

requirements listed on the reverse side of the violator's copy of the citation by either paying the fine or appearing in court

- ☐ Failure to appear in court or pay the fine may result in the suspension of driving privileges

When the violator is not presented before a District Court Commissioner, the distribution of copies is as follows:

Forwarded to Records Section:

- Court copy (white)
- Law enforcement copy (yellow)

Retained by Officer:

- Officer's copy (pink)

Given to Violator:

- Defendant's copies (white & blue w/envelope)

If the charges require the violator to appear in court, the violator will only receive the blue copy.

When the violator is presented before a commissioner, the commissioner places the court copy in the criminal file folder. The rest of the distribution is as above.

Actions for Refusal to Sign Citation

Officers shall notify violators who refuse to sign a traffic citation that failure to sign may result in the issuance of an additional citation, as well as lead to their arrest. Upon continued refusal, the officer shall request that a supervisor respond to the scene. The supervisor shall explain to the violator that signing the citation is not an admission of guilt, but a written promise to either appear in court when notified or pay the fine. The supervisor shall reiterate that failure to sign may lead to the violator's arrest. Upon continued refusal, the supervisor may authorize an arrest.

If a supervisor determines that a violator should be arrested and presented before a District Court Commissioner, he or she shall ensure that a CIR is completed and forwarded to the Patrol Commander by the end of the tour of duty.

As a substitute for requesting the response of a supervisor, the officer may print "REFUSED" in the

signature block of the ticket when the violator possesses identification that allows the officer to positively identify the violator and his or her home address. If the violator's identity and home address cannot be verified, he or she may be arrested as described in this section.

Voiding Citations

A citation that the violator has not signed may be voided administratively.

If officers make an error while writing a citation, they shall complete a memorandum directed to the Patrol Commander with the reason for the void. If the Patrol Commander concurs, the citation will be forwarded to the Chief of Police for disposition.

A citation signed by a violator must be disposed of in Court either through dismissal by a judge or a declaration of nolle prosequi by an Assistant State's Attorney.

10. Warning Notice

The Warning/Field Observation Notice/J-2 may be issued to any vehicle or violator in lieu of or in conjunction with the issuance of citations.

11. Safety Equipment Repair Orders (SERO)

SEROs shall be issued for equipment violations on motor vehicles or trailers assigned permanent Maryland registrations. In cases involving unsafe vehicles, a Maryland Uniform Complaint and Citation may be issued to the operator of any motor vehicle or trailer. A citation may be issued in conjunction with an SERO.

SEROs shall be disseminated according to the directions on the form. The issuing officer has the initial responsibility of informing the public of the requirements associated with an SERO. Listed below are reminders issued by Maryland State Police:

- ☒ **Verbally** advise violator they have **only 30 days** to repair the defect and **mail or deliver the certified notice to MVA.**
- ☒ Repair orders may be signed off by a police officer from any participating department.

- ☒ All applicable defects should be marked on the same form (no duplicate forms for the same traffic stop).
- ☒ Advise rental vehicle operators the SERO is the responsibility of the OWNER and should be provided to the rental company upon turning in their vehicle.
- ☒ On the form, item #61 includes both **GLASS*** and **TINT**, and item #55 includes both **HDLIGHTS*** and **AIM**. Check only the box next to the violation that applies. Circling the entire line causes the ASERD to record both violations against the vehicle, when there should only be one.
- ☒ Advise violators that items may only be signed off at a **Certified MD State Inspection Station.**

Certification of Safety Equipment Repair Orders

Officers may inspect all defects noted on the SERO form containing an asterisk "*", and certify repairs that meet COMAR requirements. Orders may only be certified if all repairs are complete.

If any defect **WITHOUT AN ASTERISK** has been checked, i.e. #61 **TINT**, the citizen must take the SERO to an authorized **Maryland Inspection Station** for certification.

Inspections will not be conducted during inclement weather or darkness.

If all repairs have been completed, the officer shall enter the following information at the bottom of the SERO in the spaces provided:

- ☐ Officer's signature:
- ☐ ID number:
- ☐ Date:
- ☐ County/City: **PG/Cheverly**
- ☐ County/City Code: **16/028**
- ☐ Agency Code: **AZ-CD**
- ☐ Station: **7615**

The distribution of copies is as follows:

Returned to Citizen

- Owner copy
- Hard buff copy

Transmitted to the Records Section

- Inspection station copy

12. Pedestrian & Bicycle Law Enforcement

Maryland's traffic laws apply to pedestrians and bicyclists alike. Officers shall be alert for violations of the traffic laws that jeopardize the safety of the pedestrian, bicyclist, or motorists.

Commanders may authorize selective enforcement efforts in response to Maryland Automated Accident Reporting System (MAARS) data or community requests.

13. Driver Re-Examination

Officers shall be alert for motorists that appear to be unfit, unsafe, or otherwise not qualified to be licensed. Utilizing a Request for Re-Examination of Driver form, officers can request the Motor Vehicle Administration (MVA) to test these motorists. The Physical Defects and Summary sections of the form must provide specific information to assist the MVA, and prevent officers from having to appear at MVA hearings.

The completed form shall be submitted to the Patrol Commander for approval. The Patrol Commander will forward approved requests to the PGPD Records Section.

14. Use of Reflective Safety Vest

The reflective safety vest shall be worn as the outermost garment whenever an employee is engaged in traffic direction or stationary enforcement, except during emergencies or circumstances requiring brief intervention.

15. Parking Enforcement

(Town Code, Chapter 25)

All parking violations shall be cited using the Police Summons. Officers are accountable for Police Summons issued to them and shall not lend, borrow, or share them.

When issuing a Police Summons, the hard copy will be placed in a prominent location on the subject vehicle. Completing the owner's information section before placing the Police Summons on the vehicle is not necessary.

Before submitting the Police Summons to a supervisor, the officer shall complete the owner's information section on the remaining copies only for vehicles:

- ☐ That are unregistered
- ☐ With out-of-state registration
- ☐ With expired Maryland registration
- ☐ With Maryland dealer or transporter registration

The officer will retain his or her copy, and submit the remaining original and copy to his or her supervisor for review within 48 hours.

The supervisor shall review the Police Summons to ensure that it has been completed correctly. Copies will not be sent to the PGPD Records Section. All original copies shall be maintained at the CPD.

Voiding Parking Violation Notices

This procedure will only be used when notices are issued in error. It is the only voiding procedure.

The issuing officer shall complete a memorandum explaining why the Police Summons should be voided and attach it to the Police Summons. The officer shall then forward the memorandum and the Police Summons in question to the Patrol Commander.

Owner Information Not Available

When a Police Summons is issued that requires owner information but such information is not available, an MVA printout will be attached to the copies for regular reports submission. No further explanation is required.

VI. GOVERNING LEGISLATION & REFERENCE**Governing Legislation:**

- ☐ Maryland Vehicle Law, Title 21, SubTitle 501

- ☐ Maryland Vehicle Law, Title 21, SubTitle 1202
- ☐ Maryland Vehicle Law, Title 23, SubTitle 105
- ☐ Town Code, Chapter 25
- ☐ US v. Stanfield